

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

-.-

Crl. Misc. M 5809 of 2017
Date of decision: 28.04.2017

Vikas Kumar and another

..... Petitioners

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. R S Budhwar, Advocate
for the petitioner

Mr. Amrik Narwal, DAG, Haryana

None for respondent No. 2

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 19 dated 04.02.2013 for offence punishable under Sections 498-A, 406 and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Chhapar, District Yamuna Nagar and proceedings emanating therefrom on the basis of settlement/agreement dated 07.02.2017 (Annexure P-2) arrived at between the parties before the Mediation and Conciliation Centre of this Court.

Counsel for the petitioners states that the parties have mutually decided to resolve their personal differences and also decided to part ways vide settlement/agreement dated 07.02.2017.

Vide order dated 21.02.2017, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements

recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Jagadhri, wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State does not dispute genuineness of the compromise in view of report of the Court below.

There is no representation on behalf of respondent No. 2.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) *R.C.R. (Criminal)* 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 19 dated 04.02.2013 for offence punishable under Sections 498-A, 406 and 506 IPC registered with Police Station Chhapar, District Yamuna Nagar and proceedings emanating therefrom on the basis of settlement/agreement dated 07.02.2017, stand quashed qua the petitioners.

(Rekha Mittal)
Judge

28.04.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No