

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

-.-

Crl. Misc. M 7052 of 2017
Date of decision: 31.05.2017

Sumit Dua

..... Petitioner

Versus

State of Haryana and another

.....Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

-.-

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner
Mr. Amrik Narwal, DAG, Haryana
Mr. Manu K Bhandari, Advocate
for respondent No. 2

-.-

Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioner prays for quashing of FIR No. 482 dated 08.08.2014 for offence punishable under Sections 323, 406, 498-A and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Palam Vihar, District Gurgaon and proceedings emanating therefrom on the basis of compromise (Annexure P-4) arrived at between the parties.

Counsel for the petitioner states that dispute between petitioner and respondent No. 2 arising out of the marital disharmony has been settled by way of compromise (Annexure P4).

Vide order dated 02.03.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Gurugram, 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.

Counsel for respondent No. 2 concedes to the factum of compromise.

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. 482 dated 08.08.2014 for offence punishable under Sections 323, 406, 498-A and 506 of the Indian Penal Code (in short, 'IPC') registered with Police Station Palam Vihar, District Gurgaon and proceedings emanating therefrom on the basis of compromise stand quashed qua the petitioner.

(Rekha Mittal)
Judge

31.05.2017
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Whether speaking/reasoned : Yes/No
whether reportable : Yes/No