

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

CRM-M No.10475 of 2018 (O&M)
Date of decision: 09.05.2018

Sushil Kumar and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Devender Arya, Advocate for
Mr. Divya Pratap Shishodia, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Shashikant Gupta, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.326 dated 05.10.2016 for offence punishable under Section 420 of the Indian Penal Code (for short 'IPC'), registered at Police Station Pinjore, District Panchkula and subsequent proceedings arising therefrom on the basis of compromise dated 25.01.2018 (Anneuxre P-3) as well as affidavit of complainant dated 27.02.2018 (Annexure P-6).

In the present case, the FIR was registered on the statement of Radhe Shyam Goel son of Manohar Lal. Now, dispute between the parties has been resolved.

Vide order dated 13.03.2018, the parties were directed to appear before the trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Kalka wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine.

Counsel for the State on instructions from SI Jai Karan, EWO Cell, Panchkula as well as respondent No.2 have not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondent No.3 have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view 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 discussed hereinbefore, 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 the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No.326 dated 05.10.2016 for offence punishable under Section 420 IPC, registered at Police Station Pinjore, District Panchkula and proceedings emanating therefrom stand quashed qua the petitioners.

May 09, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned	:	yes/no
Whether reportable	:	yes/no