

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

CRM-M No.13050 of 2018 (O&M)
Date of decision: 18.05.2018

Sanjeev @ Sanju

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Ms. Indu Bala, Advocate for
Mr. Aditya Jain, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Ms. Bhanvi Sood, Advocate for
Mr. Nishith Bansal, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0703 dated 25.08.2017 for offence punishable under Sections 419 and 420 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sector 7, Faridabad and subsequent proceedings arising therefrom on the basis of compromise dated 16.01.2018 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Vijay Kumar Malhotra son of Shri Hukumat Rai. Now, dispute between the parties has been resolved.

Vide order dated 28.03.2018, 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 Judicial

Faridabad wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, without any coercion or undue influence and genuine. However, learned State counsel brought to the notice of this court that some of the accused have not been impleaded as a party.

Counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2 (complainant) 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.0703 dated 25.08.2017 for offence punishable under Sections 419 and 420 IPC, registered at Police Station Sector 7, Faridabad and proceedings emanating therefrom stand quashed qua the petitioner. However, the proceeding qua other accused shall remain continued as per law.

May 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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