

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

CRM-M-17874-2018 (O&M)

Date of decision: 31.10.2018

Vishal Ahlawat and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ashok Kaushik, Advocate
for the petitioners.

Mr. Parveen Aggarwal, DAG, Haryana.

Mohd. Shahid Hussain, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-38239-2018

This is an application for making correction with regard to name of the father of petitioner No.2 and respondent No.2.

Application is allowed as prayed for.

Amended memo of parties is taken on record.

CRM-M-17874-2018

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.673 dated 23.12.2016, registered under Sections 323, 325, 34, 506 of the Indian Penal Code (for short 'IPC') at Police Station City Sonapat and subsequent proceedings arising therefrom on the basis of compromise (Annexure P-3).

In the present case, the FIR was registered on the statement of Chunni Lal son of Ram Kumar. Now, dispute between the parties has been resolved.

Vide order dated 30.04.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Chief Judicial Magistrate, Sonapat wherein it has been reported that statements of the parties have been recorded and compromise entered between the remaining parties is voluntarily, without any pressure or coercion.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioners, 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 and FIR No.673 dated 23.12.2016, registered under Sections 323, 325, 34, 506 IPC at Police Station City Sonapat and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

October 31, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE