

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

CRM-M No.17882 of 2018 (O&M)
Date of decision: 01.08.2018

Sushma Kumari Jain and others

...Petitioners

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Kunal Dawar, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Jagjot Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.305 dated 04.07.2017 for offence punishable under Sections 120-B, 406, 420, 506 of the Indian Penal Code (for short 'IPC'), registered at Police Station NIT, Faridabad District Faridabad, Haryana and subsequent proceedings arising therefrom on the basis of compromise/settlement (Annexure P-3).

In the present case, the FIR was registered on the statement of Avtar Singh Kukreja @ Avtar Kukreja son of late Sh. Kalyan Singh. 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/Illaq 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, Faridabad through the District and Sessions Judge, Faridabad wherein it has been reported that statements of Sangeeta Jain, Sapna

holder namely, Ashok Malik; Satish Gulati and Avtar Singh Kukreja @ Avtar Kukreja appeared in person to get their statement recorded. The compromise entered between the parties is genuine, valid, out of their own sweet will, without any threat, coercion or undue influence.

Learned counsel for the State as well as 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, FIR No.305 dated 04.07.2017 for offence punishable under Sections 120-B, 406, 420, 506 IPC, registered at Police Station NIT, Faridabad District Faridabad, Haryana stands quashed qua the petitioners.

August 01, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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