

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

CRM-M No.18631 of 2018 (O&M)
Date of decision: 03.08.2018

Suresh Kumar

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Saurabh Garg, Advocate
for the petitioner.

Mr. Raj Kumar Makkad, DAG, Haryana.

Mr. Upender Prasher, 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.364 dated 18.12.2015 for offence punishable under Sections 279, 337 of the Indian Penal Code (for short 'IPC'), registered at Police Station Pundri, District Kaithal and subsequent proceedings arising therefrom on the basis of compromise dated 15.03.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Gurmail Singh son of Phool Singh. Now, dispute between the parties has been resolved.

Vide order dated 03.05.2018, 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, Kaithal wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is

genuine, voluntarily in nature and it is not the result of any pressure, threat or coercion in any manner.

Learned counsel for the State counsel has 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.364 dated 18.12.2015 for offence punishable under Sections 279, 337 IPC, registered at Police Station Pundri, District Kaithal stands quashed qua the petitioner.

August 03, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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