

284

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

**CRM-M-1938-2018
Date of decision: 26.07.2018**

Om Parkash**....Petitioner**

Versus

State of Haryana and another**....Respondents****CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

Present: Mr. S.N.Yadav, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Ms. Madhulika Siwal, Advocate
for respondent No. 2-Complainant.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.357 dated 02.07.2009 for offence punishable under Sections 420 and 406 of the Indian Penal Code, registered at Police Station Jhajjar District Jhajjar and subsequent proceedings arising therefrom, on the basis of compromise and affidavit dated 23.09.2017 (Anneuxre P-2 & P-3).

In the present case, the FIR was registered on the statement of Krishna Devi w/o Inder Singh. Now, dispute between the parties has been resolved.

Vide orders dated 18.01.2018 & 03.05.2018, the parties were directed to appear before the trial Court/Illaq Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Chief Judicial Magistrate, Jhajjar, it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and is without any

pressure or coercion and volunteer.

Learned 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.357 dated 02.07.2009 for offence punishable under Sections 420 and 406 of the Indian Penal Code, registered at Police Station Jhajjar District Jhajjar and proceedings emanating therefrom stand quashed qua the petitioner herein.

(RAJ SHEKHAR ATTRI)
JUDGE

26th July, 2018

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Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*