

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

CRM-M-19758-2018 (O&M)

Date of decision: 16.8.2018

M/s Om Saak India Industries Limited and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Ajit Malik, Advocate,
for the petitioners.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.
Mr. Keshav Pratap Singh, Advocate
for respondents No.3 and 4.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 Code of Criminal Procedure (in short, "Cr.P.C."), the petitioners have prayed for quashing of FIR No. 304 dated 29.3.2016 for offence punishable under Sections 406, 420, 467, 468, 471, 477A, 120-B of the Indian Penal Code (in short, "IPC") and Section 66 of Information Technology Act, 2000 registered at Police Station Chandnibagh, District Panipat and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Kailash Kumar son of Krishan Chand. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 10.5.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to

Pursuant thereto, a report has been submitted by the Additional Chief Judicial Magistrate, Panipat wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State and respondents No. 3 and 4 have not disputed that the parties i.e. petitioners and respondents No.3 and 4 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. 304 dated 29.3.2016 under Sections 406, 420, 467, 468, 471, 477A, 120-B IPC and 66 of Information Technology Act, 2000 registered at Police Station Chandnibagh, District Panipat and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

August 16, 2018

Paritosh Kumar

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No