

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

CRM-M No.28939 of 2017 (O&M)

Date of decision: 02.04.2018

Mundraj and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Inderjit Sharma, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Karan Choudhary, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.104 dated 11.07.2017 for offence punishable under Sections 323, 325, 34, 452 and 506 of the Indian Penal Code (for short 'IPC') registered at Police Station Tigaon, District Faridabad on the basis of compromise (Annexure P-2) and subsequent proceedings arising therefrom.

In the present case, the FIR was registered on the statement of Rameshwar son of late Jai Kishan. Now, dispute between the parties has been resolved.

Vide order dated 27.09.2017, the parties were directed to appear before the trial court/area 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 the parties recorded and compromise entered between the parties is without any threat, coercion or undue pressure from either of the sides and is valid.

Counsel for the State and respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondents No.2 and 3 (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.104 dated 11.07.2017 for offence punishable under Sections 323, 325, 34, 452 and 506 of the Indian Penal Code (for short 'IPC') registered at Police Station Tigaon, District Faridabad and proceedings emanating therefrom stand quashed qua the petitioners.

April 02, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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