

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

I.

CRM-M-29883-2017 (O&M)

Date of decision: 2.4.2018

Nishan Singh and others

...Petitioners

VERSUS

State of Haryana and others

...Respondents

II.

CRM-M-48816-2017 (O&M)

Vijay Maiya

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioners in CRM-M-29883-2017.
Mr. Amit Choudhary, Advocate,
For the petitioners in CRM-M-48816-2017.

Mr. R.K.Makkad, DAG, Haryana.

Mr.Karan Pathak, Advocate
for the complainants.

RAJ SHEKHAR ATTRI, J.(Oral)

By this common order, we propose to dispose of the aforesaid
two petitions as the dispute are between the same parties arising out of FIR

By invoking Section 482 Code of Criminal Procedure (in short, "Cr.P.C."), the petitioner has prayed for quashing of FIR No.209 dated 18.3.2017 for offence punishable under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code (in short, "IPC") (Annexure P-1) registered at Police Station City Sirsa 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 Naveen Kumar son of Kashmiri Lal. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide orders dated 17.8.2017, 1.2.2018 and 21.3.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, reports dated 18.9.2017, 21.2.2018 and 27.3.2018 have been submitted by the Chief Judicial Magistrate, Sirsa in CRM-M-29883-2017 and CRM-M-48816-2017 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. 2 and 3 have not disputed that the parties i.e. petitioner and 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)

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. 209 dated 18.3.2017 for offence punishable under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code registered at Police Station City, Sirsa and proceedings emanating therefrom stand quashed qua the petitioners in both the cases.

(RAJ SHEKHAR ATTRI)
JUDGE

April 2, 2018
Paritosh Kumar

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No