

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

CRM-M No.31203 of 2017 (O&M)
Date of decision: 26.03.2018

Surinder Kumar Sharma and others

...Petitioners

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. J.S. Khattar, Advocate for
Mr. Pankaj Bali, Advocate
for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Naveen Mandhan, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.1061 dated 22.12.2013 for offence punishable under Sections 420, 467, 468, 471, 120-B, 380 of the Indian Penal Code (for short 'IPC') registered at Police Station Civil Lines, Karnal and order of charge-sheet dated 29.04.2017 (Annexure P-2) as well as subsequent proceedings arising out from the present FIR, on the basis of statements/compromise (Annexure P-4).

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

Vide order dated 23.10.2017, the parties were directed to appear before the trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial Magistrate Ist Class, Karnal through the District and Sessions Judge, Karnal wherein it has been reported that statements of the parties recorded and compromise entered between the parties is with their free volition and the same is not the result of any undue influence or coercion.

Counsel for the State and respondent No.2 have not disputed that the parties i.e. petitioners, 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.1061 dated 22.12.2013 for offence punishable under Sections 420, 467, 468, 471, 120-B, 380 of the Indian Penal Code (for short 'IPC') registered at Police Station Civil Lines, Karnal and order of charge-sheet dated 29.04.2017 (Annexure P-2) and proceedings emanating therefrom stand quashed qua the petitioners.

March 26, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE