

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

CRM-M-34304-2017

Date of decision: 01.10.2018

Satinder Singh and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parminder Singh, Advocate
for the petitioners.

Mr. Ashok Muthreja, DAG, Haryana.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.243 dated 06.05.2017, under Sections 323, 34, 452, 506 of the Indian Penal Code (for short 'IPC') and Section 27 of Arms Act, under Section 379-B (added later on) at Police Station Gharaunda, District Karnal and subsequent proceedings on the basis of affidavit/compromise (Annexure P-2).

As per reply submitted by the State, offence under Section 27 of Arms Act has been deleted.

In the present case, the FIR was registered on the statement of Shiv Kumar son of Roshan Lal. Now, dispute between the parties has been resolved.

Vide orders dated 30.10.2017 and 30.08.2018, the parties were directed to appear before the learned Illaqa Magistrate/trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Karnal wherein it has

been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and voluntary.

Learned counsel for the State has not disputed that the parties i.e. petitioners, respondent No.2 (complainant) and respondent No.3, 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 and FIR No.243 dated 06.05.2017, under Sections 323, 34, 452, 506, 379-B IPC at Police Station Gharaunda, District Karnal and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

October 01, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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