

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

**CRM-M-35342-2018 (O&M)
Date of decision: 18.12.2018**

Men Pal @ Mem Pal 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. Brijesh Sharma, AAG, Haryana.

Mr. Bhupander Ghanghas, Advocate
for respondents No.3 to 8.

RAJ SHEKHAR ATTRI, J.(Oral)

CRM-44447-2018

This is an application for placing on record amended memo of parties.

It has been submitted that due to some clerical mistake name of petitioner No.1 is mentioned as Men Pal instead of Mem Pal and name of respondent No.3 is mentioned as Harun instead of Arun.

Application is allowed. Amended memo of parties is taken on record.

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By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.86 dated 30.08.2013, under Sections 148, 149, 323, 452, 506 of the Indian Penal Code (for short 'IPC') registered at Police Station Bapoli, Panipat and subsequent proceedings arising therefrom on the basis of compromise dated 01.08.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Harun @ Arun son of Mahinudeen. Now, dispute between the parties has been resolved.

Vide orders dated 17.08.2018 and 10.10.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Judicial Magistrate Ist Class, Samalkha wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine, without any pressure or undue influence.

Learned counsel for the State as well as learned counsel for respondents No.3 to 8 have not disputed that the parties i.e. petitioners, respondent No.3 (complainant) and respondents No.4 to 8, 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.86 dated 30.08.2013, under Sections 148, 149, 323, 452, 506 IPC registered at Police Station Bapoli, Panipat and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

December 18, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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