

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

**CRM-M-37152-2018
Date of decision: 16.10.2018**

Satbir Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Rajinder Nain, Advocate
for the petitioners.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Bhupinder Singh, 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.45 dated 02.03.2018, under Sections 148, 149, 285, 427 of the Indian Penal Code (for short 'IPC') and Section 25 of Arms Act, 1959 at Police Station Israna, District Panipat and subsequent proceedings on the basis of compromise/affidavit (Annexure P-2).

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

Vide order dated 28.08.2018, 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, Panipat wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is voluntarily, without any fear and the same appears to be genuine.

Learned counsel for the State as well as learned counsel for 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.

Reply by way of affidavit of Satish Kumar Gautam, Deputy Superintendent of Police (City), Panipat filed by learned State counsel is taken on record. As per the same, one empty cartridge of .315 bore along with three empty cartridges of .32 bore were recovered from the spot and one rifle along with license were also recovered.

No one found injured and no injury has been attributed to the petitioners.

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.45 dated 02.03.2018, under Sections 148, 149, 285, 427 of the Indian Penal Code (for short 'IPC') and Section 25 of Arms Act, 1959 at Police Station Israna, District Panipat and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioners.

October 16, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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