

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

CRM-M-37201-2018

Date of decision: 22.10.2018

Rahul Rana

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sushil Kumar Verma, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Munish Raj Chaudhary, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.0624 dated 23.08.2016, under Sections 406, 420, 467, 468, 471 of the Indian Penal Code (for short 'IPC'), registered at Police Station City Sirsa and subsequent proceedings arising on the basis of compromise deed dated 14.08.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Rakesh Kumar Garg son of Shivcharan Dass. Now, dispute between the parties has been resolved.

Reply by way of affidavit of Ravinder Kumar, Deputy Superintendent of Police, HQ, Sirsa filed by learned State counsel is taken on record.

Vide order dated 29.08.2018, 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

Additional Chief Judicial Magistrate, Sirsa wherein it has been reported that

statements of the parties have been recorded and compromise entered between the parties is voluntarily, with free will, without any fear, coercion, inducement or threat.

Learned counsel for the State as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, 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 and FIR No.0624 dated 23.08.2016, under Sections 406, 420, 467, 468, 471 IPC, registered at Police Station City Sirsa and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua the petitioner.

October 22, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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