

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

CRM-M-37641-2017 (O&M)

Date of decision: 07.12.2018

Baljeet Singh

...Petitioner

Versus

State of Haryana and another

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Parveen Kumar Rohilla, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Wazir Singh, 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.117 dated 05.05.2017, registered under Section 379-A of the Indian Penal Code (for short 'IPC') at Police Station GRP Ambala Cantt and subsequent proceedings arising therefrom on the basis of compromise dated 28.09.2017 (Annexure P-3).

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

Vide orders dated 09.10.2017 and 29.01.2018, the parties were directed to appear before the learned trial court/Illaq Magistrate/Area Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Additional District and Sessions Judge, Ambala wherein it has been reported

that statements of the parties have been recorded and compromise entered between the parties is voluntarily, genuine, without any pressure or coercion.

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.117 dated 05.05.2017, registered under Section 379-A IPC at Police Station GRP Ambala Cantt and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

December 07, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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