

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

CRM-M No.43312 of 2017 (O&M)

Date of decision: 30.07.2018

Satish

...Petitioner

VERSUS

State of Haryana and others

..Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Vikram Rana, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Diwan S. Adlakha, 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.0322 dated 28.08.2017 for offence punishable under Sections 188, 285, 435, 506, 511 of the Indian Penal Code (for short 'IPC') and Section 27 of the Arms Act, registered at Police Station Matlauda and subsequent proceedings arising therefrom on the basis of compromise deed and affidavit dated 29.11.2017 and 29.08.2017 (Annexure P-3).

In the present case, the FIR was registered on the statement of Jatinder @ Neetu son of Ram Chand. Now, dispute between the parties has been resolved.

Vide order dated 19.01.2018, the parties were directed to appear before the learned trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the 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 amicably, voluntarily and without any pressure or coercion.

Learned counsel for the State as well as counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2 (complainant), respondents No.3 and 4 have arrived at a settlement with an intent to give burial to their differences.

It has been submitted that although firearm was used but no one has injured as the shot was fired in air.

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, FIR No.0322 dated 28.08.2017 for offence punishable under Sections 188, 285, 435, 506, 511 IPC and Section 27 of the Arms Act, registered at Police Station Matlauda stands quashed qua the petitioner.

July 30, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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