

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

CRM-M No.45073 of 2017 (O&M)

Date of decision: 26.03.2018

Sandeep @ Vicky

...Petitioner

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Brijender Kaushik, Advocate
for the petitioner.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. B.S. Saroha, 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.22 dated 07.05.2017 for offence punishable under Section 379-A of the Indian Penal Code (for short 'IPC') registered at Police Station Chandigarh, GRP Ambala, Haryana as well as consequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

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

Vide order dated 29.11.2017, the parties were directed to appear before the trial court/Area Judicial Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the District and Sessions Judge, Panchkula wherein it has been reported that statements of

the parties recorded and compromise entered between the parties is genuine, voluntarily, out of their free will, without any kind of threat, coercion, undue pressure or inducement from any quarter/persons.

Counsel for the State and 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, FIR No.22 dated 07.05.2017 for offence punishable under Section 379-A of the Indian Penal Code (for short 'IPC') registered at Police Station Chandigarh, GRP Ambala, Haryana and proceedings emanating therefrom stand quashed qua the petitioner.

March 26, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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