

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

CRM-M No.7057 of 2018 (O&M)

Date of decision: 24.07.2018

Anup Singh and others

...Petitioners

VERSUS

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Abhishek Singh, Advocate
for the petitioners.

Mr. Raj Kumar Makkad, DAG, Haryana.

Mr. Vikrant Pamboo, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(Oral)

Reply by way of affidavit of Adarshdeep Singh, HPS Assistant Commissioner of Police, Crime Panchkula filed by learned State counsel is taken on record. Copy supplied to the counsel for the petitioners.

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.123 dated 22.03.2017 for offence punishable under Sections 420, 406, 467, 468, 120-B and 471 of the Indian Penal Code (for short 'IPC'), registered at Police Station Sector 5, Panchkula, District Panchkula, Haryana and subsequent proceedings arising therefrom on the basis of compromise dated 12.02.2018 (Anneuxre P-2).

In the present case, the FIR was registered on the statement of Kishori Lal Sood son of late Sh. Mast Ram Sood. Now, dispute between the parties has been resolved.

Vide orders dated 19.02.2018 and 26.02.2018, the parties were directed to appear before the trial court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Panchkula wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and voluntarily.

Learned counsel for the State as well as 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.

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.123 dated 22.03.2017 for offence punishable under Sections 420, 406, 467, 468, 120-B and 471 IPC, registered at Police Station Sector 5, Panchkula, District Panchkula, Haryana and proceedings emanating therefrom stand quashed qua the petitioners.

July 24, 2018
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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