

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

CRM-M-1646-2019 (O&M)

Date of decision: March 18, 2019

Rajesh @ Rajesh Kaushik and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sushil Sheoran, Advocate
for the petitioners.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Mohit, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.65 dated 03.02.2014, under Sections 498-A, 406 and 506 read with Section 34 of the Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Bhiwani City, District Bhiwani and subsequent proceedings arising therefrom on the basis of compromise dated 14.11.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Seema daughter of Mul Chand Sharma. Now, dispute between the parties has been resolved.

Vide order dated 16.01.2019, 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 Judicial Magistrate Ist Class, Bhiwani, wherein it has been reported that statements of the parties have been recorded and compromise entered between the parties is genuine and voluntary.

Learned State counsel as well as learned 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.

Drafts reply by Virender Singh, HPS, Deputy Superintendent of Police, Bhiwani, on behalf of respondent No.1, filed by learned State counsel, is taken on record.

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. Consequently, FIR No.65 dated 03.02.2014, under Sections 498-A, 406 and 506 read with Section 34 IPC, registered at Police Station Bhiwani City, District Bhiwani and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

March 18, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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