

CRM-M-22541 of 2018 (O&M) 1

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

CRM-M-22541 of 2018 (O&M)

Date of Decision :21.11.2019

Sanjay Kumar Aggarwal and others

....Petitioners

Versus

Mahavir Parshad Aggarwal and another

...Respondents

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr. Rajat Garg, Advocate for
Mr. Aditya Jain, Advocate for the petitioners

Mr. Vivek Khatri, Advocate for respondent No. 1

Mr. Vikas Chopra, DAG, Haryana

ANIL KSHETARPAL, J.(ORAL)

The petitioners have approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure (for short ('Cr.P.C.)) invoking its inherent jurisdiction for quashing of case bearing No.6-SC of 28.3.2017 dated 10.6.2012 and the consequential proceedings arising therefrom.

Notice of motion was issued.

In compliance of order dated 5.11.2019 passed by this Court, complainant has filed his affidavit admitting compromise.

Learned State counsel also does not have any objection.

After hearing the learned counsel for the State and going through record of the case, this Court is of the considered opinion that it is a

fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of the Court settlement by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

For the aforesaid view, this Court finds support from *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, upheld by Hon'ble Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*,

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, case bearing No.6-SC of 28.3.2017 dated 10.6.2012 and the consequential proceedings arising therefrom are ordered to be quashed.

Resultantly, with the above-said observations made, the instant petition stands allowed.

(ANIL KSHETARPAL)
JUDGE

21.11.2019

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No