

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-14966-2019
Date of Decision:-01.05.2019.

Siddharth Khanna and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sukesh K. Jindal, Advocate for the petitioners.

Mr. Pawan Garg, AAG, Haryana.

Mr. Nipun Sharma, Advocate for respondent No.2/complainant.

RAJ SHEKHAR ATTRI, J.

CRM-13544-2019

CRM is allowed as prayed for subject to all just exceptions.

Affidavits as Annexure P-5 (colly) are taken on record.

CRM-M-14966-2019

Reply by way of an affidavit of Pooja Dabla, Deputy Superintendent of Police, Crime Against Women, Panipat on behalf of respondent No.1 (State of Haryana) is taken on record.

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.126 dated 05.10.2018 under Sections 323, 406, 498-A, 506 and Section 377 (added later on) of the Indian Penal Code registered in Police Station Women, Panipat and proceedings emanating therefrom on the basis of compromise (Annexure P-3) arrived at between the parties.

In the present case, the FIR was registered on the statement of Vichi Taneja. Now, dispute between the parties has been resolved by way of compromise Annexure P-3.

Vide order dated 01.04.2019, 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 Judicial Magistrate, 1st Class, Panipat wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Counsel for the State and respondent No. 2 have not disputed that the parties i.e. petitioner and 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.126 dated 05.10.2018 under Sections 323, 406, 498-A, 506 and Section 377 (added later on) of the Indian Penal Code registered in Police Station Women, Panipat and proceedings emanating therefrom stand quashed qua the petitioners.

(RAJ SHEKHAR ATTRI)
JUDGE

May 01, 2019.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.