

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

CRM-M-15555-2019

Date of decision: 3.7.2019

Sanjeev Gupta and others

...Petitioner(s)

VERSUS

State of Haryana and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Sandeep Sharma, Advocate,
for the petitioner(s).

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Ms. Sanya Sapra , Advocate,
For respondents No.3 and 4.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No. 0102 dated 19.03.2019 for offence punishable under Sections 323, 34, 506 of the Indian Penal Code and Section 8 of Protection of Children from Sexual Offence Act and Section 75 of Juvenile Justice (Care and Protection of Children) Act registered at Police Station Sector 14, Gurugram and proceedings emanating therefrom on the basis of compromise (Annexures P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Umang Gupta son of late Shri Radhey Shyam Gupta. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 22.4.2019, the parties were directed to appear before the trial Court to get their statements recorded with regard to

Pursuant thereto, a report has been submitted by the Judicial Magistrate, 1st Class, Gurugram wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any pressure or coercion. However, it is reported that statement of the accused has not been recorded.

Counsel for the State and respondents No. 3 and 4 have not disputed that the parties i.e. petitioner and respondents No.3 and 4 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.0102 dated 19.03.2019 under Sections 323, 34, 506 IPC, Section 8 of POCSO and Section 75 of Juvenile Justice (Care & Protection of Children) Act registered at Police Station Sector 14, District Gurugram and proceedings emanating therefrom stand quashed qua the petitioner(s).

July 3, 2019

Paritosh Kumar

**(RAJ SHEKHAR ATTRI)
JUDGE**

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