

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-32601 of 2018

Date of Decision: 28-2-2019

Saurabh Caplash and others

...Petitioners

v.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr.Ashwani Gaur, Advocate
for the petitioners.

Mr.Arun Kumar, AAG, Haryana.

Ms.Monika Jangra, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

Affidavit of Pooja – respondent No.2 has been filed in Court today. Same is taken on record.

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.264 dated 16.6.2015, under Sections 323, 406, 498A, 34 of the Indian Penal Code (for short 'IPC'), registered at Police Station Urban Estate, Rohtak, District Rohtak and subsequent proceedings arising therefrom on the basis of compromise dated 16.7.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Pooja – respondent No.2. Now, dispute between the parties has been resolved. As per compromise, a petition under Section 13-B of the Hindu Marriage Act has been filed in the Family Court at Rohtak.

Learned counsel for the State 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.

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 and FIR No264 dated 16.6.2015, under Sections 323, 406, 498A, 34 IPC, registered at Police Station Urban Estate, Rohtak, District Rohtak and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

February 28, 2019

**(RAJ SHEKHAR ATTRI)
JUDGE**

RC

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No