

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

CRM-M-38078-2018 (O&M)

Date of decision: 23.01.2019

Uttam Singhal and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

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

Mr. M.D. Sharma, AAG, Haryana.

Mr. Shantanu Bansal, Advocate for
Mr. H.P.S. Sandhu, Advocate
for respondents No.2 and 3.

RAJ SHEKHAR ATTRI, J.(Oral)

By invoking Section 482 of the Code of Criminal Procedure, the petitioners have prayed for quashing of FIR No.47 dated 20.01.2018, under Sections 323, 354-B, 406 and 498-A read with Section 34 of the Indian Penal Code (for short 'IPC') registered at Police Station Civil Lines, Hisar and subsequent proceedings arising therefrom on the basis of settlement deed/compromise (Annexure P-2).

In the present case, the FIR was registered on the statement of Dinesh Goyal son of late Sh. Raj Kumar Goyal. Now, dispute between the parties has been resolved.

Vide order dated 10.12.2018, 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, Hisar wherein it has been reported that statements

of the parties have been recorded and compromise entered between the parties is voluntarily without any pressure and maintaining peace and relations.

Learned counsel for the State as well as learned counsel for respondents No.2 and 3 have not disputed that the parties i.e. petitioners, respondent No.2 and respondent No.3 (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 No.47 dated 20.01.2018, under Sections 323, 354-B, 406 and 498-A read with Section 34 IPC registered at Police Station Civil Lines, Hisar and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

January 23, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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