

**CRM-M-4148 of 2015 (O&M)
and connected case**

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

1. CRM-M-4148 of 2015 (O&M)

Bimla Devi and another

....Petitioners

Versus

State of Haryana and another

...Respondents

2. CRM-M-15187 of 2016 (O&M)

Rajesh Kumar and another

....Petitioners

Versus

State of Haryana and others

...Respondents

Date of Decision :23.10.2019

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr. Neeraj Gaur, Advocate for the petitioners

Mr. Vikas Chopra, DAG, Haryana

ANIL KSHETARPAL, J.(ORAL)

By this order, this Court will dispose of two petitions bearing
CRM-M-4148-2015 and 15187-2016.

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 FIR No.320
dated 21.6.2008 registered under Sections 420, 467, 468, 471, 120-B, 406,

proceedings arising therefrom.

Notice of motion was issued.

In compliance of the order dated 16.7.2019 passed by this Court, the parties got their statements recorded before the learned trial court. Consequently, a report dated 15.10.2019 sent by the learned Judicial Magistrate Ist Class, Gurugram has been received which is available on record of the case along with the statements of the parties. Learned Judicial Magistrate Ist Class has reported that the parties have made their statements voluntarily and without any pressure. The compromise arrived at between the parties has been found to be a genuine one.

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, FIR No.320 dated 21.6.2008 registered under Sections 420,

467, 468, 471, 120-B, 406, 506 IPC at Police Station City Gurgaon and all the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioners (in both petitions) only.

Resultantly, with the above-said observations made, the instant petitions stand allowed.

(ANIL KSHETARPAL)
JUDGE

23.10.2019
rekha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No