

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

CRM-M-48780-2018

Date of decision: February 13, 2019

Kapil and another**...Petitioners****Versus****State of Haryana and another****...Respondents****CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**Present: Mr. Anjum Ahmed, Advocate
for the petitioners.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Gautam Kaile, Advocate for
Mr. Gourav Verma, Advocate
for respondent No.2.**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 24.03.2017, under Sections 323, 354-A(1), 506 of the Indian Penal Code (for short 'IPC') and Section 3(1) (xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Women Police Station, Faridabad and subsequent proceedings arising therefrom on the basis of compromise dated 12.10.2018 (Annexure P-2).

In the present case, the FIR was registered on the statement of Gouri @ Gomati wife of Anil. Now, dispute between the parties has been resolved.

Vide order dated 02.11.2018, the parties were directed to appear before the learned trial court/illqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Additional District and Sessions Judge, District Courts, Faridabad wherein it

has been reported that statements of the parties have been recorded and

compromise entered between the parties is genuine, with their free will and consent.

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 No.47 dated 24.03.2017, under Sections 323, 354-A(1), 506 IPC and Section 3(1) (xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, registered at Police Station Women Police Station, Faridabad and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioners.

February 13, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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