

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

CRM-M-49838-2018

Date of decision: 15.1.2019

Rajbir

...Petitioner(s)

VERSUS

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. K.s.Dhanora, Advocate,
for the petitioner(s).

Mr. Ashok Muthreja, DAG, Haryana

Dr. Naresh Kaushik, Advocate,
For respondents No.2 to 4.

RAJ SHEKHAR ATTRI, J.

By invoking Section 482 Cr.P.C., the petitioner(s) has prayed for quashing of FIR No. 94 dated 12.3.2018 for offence punishable under Sections 354-A, 354-D, 452 of the Indian Penal Code and 12 of Protection of Children from Sexual Offences Act, 2012 and 3(1) (xxix), 3(1)(xxiii) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station Barwala, District Hisar 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 Kanta Rani daughter of Pala Ram. Now, dispute between the parties has been resolved by way of compromise Annexures P-2.

Vide order dated 15.11.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Additional District & Sessions Judge, Hisar 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.

Counsel for the State and respondents No. 2 to 4 have not disputed that the parties i.e. petitioner and respondents No.2 to 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. 94 dated 12.3.2018 under Sections 354-A, 354-D, 452 IPC, 12 of Protection of Children from Sexual Offences Act, 2012 and 3(1)(xxix) and 3(1)(xxiii) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act registered at Police Station Barwala, District Hisar and proceedings emanating therefrom stand quashed qua the petitioner(s).

January 15, 2019
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

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