

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

CRM-M-38277-2019 (O&M)

Date of decision : 30.10.2019

Sahab Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Ravinder Malik, Advocate for
Mr. Jitender S. Chahal, Advocate for the petitioner.

Mr. Vikas Chopra, Deputy Advocate General, Haryana.

Mr. Arun Sharma, Advocate for respondent No.2.

ANIL KSHETARPAL, J. (ORAL)

Petitioner has 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.104 dated 01.07.2019 registered under Sections 307, 341, 506, 34 of the Indian Penal Code and Section 25 of Arms Act (Act No.54) at Police Station Radaur, District Yamuna Nagar and the consequential proceedings arising therefrom, on the basis of compromise.

Learned counsel for respondent No.2-complainant admits the settlement arrived at between the parties. In CRM-M-29462-2019, statements of the parties accepting the settlement has been recorded and report on the basis thereof has been forwarded on 31.07.2019. By a separate order of even date CRM-M-29462-2019 has also been allowed.

Learned counsel for the State also does not have any objection.

After hearing the learned counsel for the parties and after going through the 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 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**, approved 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.104 dated 01.07.2019 registered under Sections 307, 341, 506, 34 of the Indian Penal Code and Section 25 of Arms Act (Act No.54) at Police Station Radaur, District Yamuna Nagar and the consequential proceedings arising therefrom, are ordered to be quashed, on the basis of compromise, however, qua the petitioner only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

30.10.2019*Pawan***(ANIL KSHETARPAL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**