

CRM-M-41528 of 2019 (O&M) 1

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

CRM-M-41528 of 2019 (O&M)

Date of Decision :30.09.2019

Vijay Kumar

....Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR.JUSTICE ANIL KSHETARPAL

Present : Mr. Krishan Singh, Advocate for the petitioner

Mr. Anmol Malik, AAG, Haryana

Mr. S.K.Biriwal, Advocate for respondent No.2

ANIL KSHETARPAL, J.(ORAL)

The 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. 181 dated 10.10.2015 registered under Sections 406, 420, 506 IPC at Police Station Babain, District Kurukshetra and the consequential proceedings arising therefrom.

Notice of motion was issued and parties were directed to remain present in Court.

Today both the petitioner and respondent No.2 are present in Court alongwith their counsels. They have stated that they have compromised the matter and they have also placed on record their affidavits

respective counsel.

After hearing the learned counsel for the parties 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. 181 dated 10.10.2015 registered under Sections 406, 420, 506 IPC at Police Station Babain, District Kurukshetra and the consequential proceedings arising therefrom are ordered to be quashed, however, qua the petitioner only.

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

(ANIL KSHETARPAL)
JUDGE

30.09.2019

rekha

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No