

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

CRM-M-61872-2018 (O&M)

Date of decision: March 27, 2019

Gurdeep Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Tarun Sharma, Advocate for
Mr. Pankaj Bali, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana.

Ms. Kamlesh, Advocate for
Mr. Parminder Singh, Advocate
for respondent No.2.

RAJ SHEKHAR ATTRI, J.(ORAL)

By invoking Section 482 of the Code of Criminal Procedure, the petitioner has prayed for quashing of FIR No.6 dated 26.01.2018, under Sections 406, 498-A, 323, 506 of the Indian Penal Code, 1860 (for short 'IPC') as well as Section 307 IPC added later on, registered at Police Station Women Karnal and subsequent proceedings arising therefrom on the basis of compromise dated 20.09.2018 and joint statement dated 21.09.2018 (Annexures P-2 and P-3 respectively).

In the present case, the FIR was registered on the statement of Manpreet Kaur daughter of Balwinder Singh. Now, dispute between the parties has been resolved.

Vide order dated 20.12.2018, the parties were directed to appear before the learned trial court/illaqa magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the learned Additional Sessions Judge, Karnal, wherein it has been reported that statements

of the parties have been recorded and compromise entered between the parties is genuine and lawful.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed that the parties i.e. petitioner, respondent No.2, have arrived at a settlement with an intent to give burial to their differences.

This court would like to reproduce relevant para No.4 of the FIR which transpires that she suffered no injury. The same is read as under:-

“That all the above said accused persons, in connivance with each other, made a plan to kill me on dated 15.02.2017 at about 9/10 P.M. and after switching off the electricity of the room, they tried to kill me from any unknown substance and upon this I raised loud noise. On my loud noise, the accused persons, in connivance with each other, gave me poison forcibly due to this reason, I lost my senses and in the meantime, when my Aunt-in-law came there on hearing my noise and she said that allegation of killing her will be put on your heads. Upon this, they immediately called the doctor and got the poison to be taken out from me by giving me medicine of vomiting.”

Learned counsel for the petitioner has submitted that no case is made out under Section 307 IPC. This court is also satisfied that no case is made out under Section 307 IPC.

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. Consequently, FIR No.6 dated 26.01.2018, under Sections 406, 498-A, 323, 506 IPC as well as Section 307 IPC added later on, registered at Police Station Women Karnal and subsequent proceedings arising therefrom on the basis of compromise stands quashed qua petitioner.

March 27, 2019
m. sharma

(RAJ SHEKHAR ATTRI)
JUDGE

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