

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

**CRM-M-37383 of 2020**

**Date of Decision:-16.04.2021**

Gagan Deep Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

**CORAM:- HON'BLE MR. JUSTICE VIVEK PURI**

Present:- Mr. Tarun Gupta, Advocate  
for the petitioners.

Mr. Rajneesh Chadwal, AAG, Haryana.

Mr. Rahul Vats, Advocate  
for respondent No.2.

**(Proceedings conducted through Video Conferencing)**

**VIVEK PURI J.(Oral)**

Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 216 dated 05.8.2020, under Sections 186, 332, 353 and 509 of IPC, registered at Police Station Pinjore, District Panchkula (Annexure P-1) and all the consequential proceedings arising therefrom, on the basis of compromise dated 22.10.2020 (Annexure P-2).

The FIR was registered on the statement of complainant/respondent No.2 Poonam Devi, who is working as Staff Nurse at PHC Pinjore, alleging that during the intervening night of

04.8.2020/05.8.2020, the petitioners had snatched B.P. Apparatus, emergency register from her (respondent No.2) and thrown on the floor. They had also man-handled the complainant/respondent No.2.

Subsequently, due to intervention of respectables of the locality from both sides, the matter has been amicably settled.

On 12.11.2020, notice of motion was issued and parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the statements of all the concerned and sent his report regarding genuineness and voluntary nature of the compromise. It has also been stated that cost of Rs.10,000/- has also been deposited with DLSA, Panchkula.

In compliance of the order dated 12.11.2020, learned Sub Divisional Judicial Magistrate, Kalka has recorded the statements of the parties and submitted her report, the relevant portion whereof reads as under:-

*“Statements of the parties i.e. complainant Poonam Devi and accused Gagandeep Singh and Jhonsham Tirki, in case FIR No.216 dated 05.8.2020, under Sections 186, 332, 353 and 509 of IPC, Police Station Pinjore, District Panchkula have been recorded regarding genuineness of the compromise and that the same is not the result of any undue influence, coercion or pressure of any kind between the parties and whether any of the accused has been declared proclaimed offender/person.*

*Perusal of the statements of the parties and Compromise Deed Ex.C1 show that they have amicably settled the matter after arriving at a compromise and settlement, voluntarily and*

*without any fear or coercion or pressure from any side. The compromise seems to be genuine. Both the parties were duly identified by their respective advocates; copies of their Aadhaar Cards were also taken on record Ex.C2, Ex.C3 and Ex.C4.*

*There is one complainant and two accused-Gagandeep Singh and Jhonsham Tirki in the present case. As per record, there is no proclamation proceedings are pending against either of the parties. Cost of Rs.10,000/- also deposited at DLSA, Panchkula vide Annexure-I.*

*The original statements of the parties, Compromise Deed Ex.C1, Receipt of DLSA along with copies of Aadhar Card Ex.C2, Ex.C3 and Ex.C4 are being sent with the present report for your kind perusal.”*

The receipt regarding payment of Rs.10,000/- has also been attached with the report.

After hearing learned counsel for the parties and 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 a settlement, out of the Court, by way of compromise (Annexure P-2). The compromise is without any pressure and is 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***. Accordingly, the present

petition is allowed and FIR No. 216 dated 05.8.2020, under Sections 186, 332, 353 and 509 of IPC, registered at Police Station Pinjore, District Panchkula and all the consequential proceedings arising therefrom are quashed qua petitioners only.

April 16, 2021  
Vijay Asija

( VIVEK PURI )  
JUDGE

Whether speaking/reasoned  
Whether Reportable

Yes / No  
Yes / No