

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

SR. No.223

CRM-M-8030-2021

Date of Decision:01.02.2022

Jagjeet Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Pawan Attri, Advocate,
for the petitioner.

Mr. Amit Aggarwal, DAG, Haryana.

Mr. Fateh Saini, Advocate
for respondent No.2.

[The aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court.]

SANT PARKASH, J.

Petitioner has approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No.74 dated 05.10.2020 registered under Sections 294/452/506/34 IPC at Police Station City Pehowa, District Kurukshetra as well as the consequential proceedings arising therefrom, on the basis of compromise (P-2).

While issuing notice of motion on 19.02.2021, this Court directed both the parties to appear before the trial Court to record their statements with regard to genuineness of the compromise. However, the parties could not appear before the court below on the date fixed. Thereafter, vide orders dated 30.09.2021 and 02.12.2021, parties were again directed to appear before the court below for getting their statements recorded and the learned trial Court was directed to send a report to this Court in this regard.

In compliance of the above-said orders, the report dated 07.01.2022 of Sub Divisional Judicial Magistrate, Pehowa has been received, wherein it is stated that in pursuance of the order of this Court, the statements of the parties were recorded which indicates that the compromise

is genuine, without any coercion or undue influence. It is further mentioned in the report that copy of receipt of costs has been placed on the file.

Learned counsels appearing on behalf of both the parties admit that parties have settled their disputes.

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 (Annexure P-2). 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.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466*, the present petition is allowed. Resultantly, FIR No.74 dated 05.10.2020 registered under Sections 294/452/506/34 IPC at Police Station City Pehowa, District Kurukshetra as well as the consequential proceedings arising therefrom are quashed qua the petitioner.

01.02.2022
mks

(SANT PARKASH)
JUDGE

Whether Speaking/Reasoned: YES / NO
Whether Reportable: YES / NO