

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CRM-M-25044-2021
Date of decision : 15.02.2022**

MANISH

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Vansh Malhotra, Advocate
for the petitioner.

Mr. Amreek Singh Narwal, DAG, Haryana
for respondent No. 1/State.

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

SANT PARKASH, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

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. 51 dated 04.02.2021 registered under Sections 406 and 420 of the Indian Penal Code, 1860 (for short 'the IPC') and Section 24 of the Immigration Act, 1983 registered at Police Station Pundri, District Kaithal as well as the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Vide order dated 08.07.2021, the parties were directed to appear before the trial Court to record their statements with regard to the compromise and send a report to this Court. The report dated 27.08.2021 of learned Judicial Magistrate First Class, Kaithal 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.

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. 51 dated 04.02.2021 registered under Sections 406 and 420 of the IPC and Section 24 of the Immigration Act, 1983 registered at Police Station Pundri, District Kaithal, as well as the consequential proceedings arising therefrom are quashed qua the petitioner.

15.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No