

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

CRM-M-24559-2022
Date of Decision: 30.09.2022

AJAY VERMA

... PETITIONER

VS.

STATE OF PUNJAB AND ANOTHER

.. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. A.P.S.Sandhu, Advocate
for the petitioner.

Mr. Hittan Nehra, Additional Advocate General, Punjab.

Mr. Aseem Monga, Advocate for
Mr. Harish Mehla, Advocate, for respondent No.2.

VIVEK PURI, J.(ORAL)

Through instant petition, the petitioner is seeking to quash the FIR No.0126 dated 18.06.2017 under Sections 354 and 506 IPC registered at Police Station Phase-1, S.A.S.Nagar on the basis of compromise.

Briefly, the FIR has been registered on the allegations that on 17.06.2017, the petitioner had inappropriately touched respondent No.2 and outraged her modesty.

On 31.05.2022, the parties were directed to get their statements recorded before the learned Illaqa Magistrate/ Trial Court.

In compliance of the order dated 31.05.2022, the statements of the parties have been recorded and the learned Chief Judicial Magistrate-cum-Addl. Civil Judge (Senior Division), SAS Nagar Mohali, has sent the report and the relevant portion whereof reads as under:-

“It is further respectfully submitted that the perusal of these statements so recorded shows that the compromise effected between the parties in relation to FIR No.126, dated 18.06.2017 U/s

354/506 IPC, P.S.Phase-I, SAS Nagar, Mohali, is voluntary, genuine and valid. The point wise submission is as follows:-

- 1. There is only one accused in this FIR.*
- 2. No accused is proclaimed offender.*
- 3. The compromise is effected between the parties without any coercion or undue influence and is genuine and voluntarily between the parties.*
- 4. Accused is not involved in any other case.”*

Learned counsel for the petitioner contends that the dispute has been amicably settled in terms of the compromise contained at Annexure P-2. The petitioner and respondent No.2 were acquainted with each other. The dispute has been amicably settled with the intervention of the elders and respectables and without any pressure or coercion.

Learned counsel for respondent No.2 has not disputed the aforesaid factual aspect(s) and further stated that he has no objection if the FIR is quashed.

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. 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.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

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.0126 dated 18.06.2017 under Sections 354 and 506 IPC registered at Police Station Phase-1, S.A.S.Nagar is ordered to be quashed, however, qua the petitioner only.

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

30.09.2022
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No