

CRM-M-28305-2022

Date of decision: 12.09.2022

AJAY KALRA

...PETITIONER

VERSUS

STATE OF HARYANA AND ANR.

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. J.S. Lalli, Advocate for the petitioner.

Mr. Karan Garg, AAG, Haryana.

Ms. Urvashi Singh, Advocate for
Mr. Vivek Singla, Advocate
for the respondent No.2.

VIVEK PURI,J. (ORAL)

Petitioner has approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.454 dated 30.10.2019 under Section 354 IPC, 1860, registered at Police Station Udyog Vihar, District Gurugram, Haryana and all the consequential proceedings arising therefrom, on the basis of compromise.

Briefly, the FIR has been registered on the allegations that the petitioner had outraged the modesty of respondent No.2.

On 07.07.2022, parties were directed to appear before the Trial Court/Illaq Magistrate 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 send its report regarding genuineness and voluntary nature of the compromise.

In compliance of the order dated 07.07.2022, learned Judicial

submitted the report, the relevant para whereof reads as under:-

“In view of the statements of the interested parties. I am satisfied that, they have compromised the matter amongst themselves without any fear or pressure and that the compromise has been voluntarily arrived at between them. As per the report of IO, it is submitted that the parties are not proclaimed offender in the said case nor any other FIR is lodged against them. Statement of Investigating Officer is recorded. Case is fixed at the stage of consideration on charge.”

Learned counsel for the petitioner contends that the dispute has been amicably settled between the parties in terms of compromise dated 30.03.2022 (Annexure P-3). The petitioner and respondent No.2 are working in the same office and on account of some misunderstanding and employment dispute, the FIR was registered. With the indulgence of the colleagues and other well wishers, the dispute has been amicably settled between the parties and the amicable settlement will help in maintaining the cordial relations between them.

Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

After hearing the 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.454 dated 30.10.2019 under Section 354 IPC, 1860, registered at Police Station Udyog Vihar, District Gurugram, Haryana and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioner only.

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

12.09.2022
renubala

(VIVEK PURI)
JUDGE

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