

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

245

CRM-M-25094-2019

Date of decision : 16.03.2022

GORDHAN AND ORS.

....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Ms. Anshumaan Dalal, Advocate
for the petitioners.

Mr. Gaurav Bansal, AAG, Haryana
for respondent No. 1/State.

Mr. Gunjan Mehta, Advocate
for respondent No. 2.

SANT PARKASH, J. (ORAL)

Petitioners have 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. 90 dated 30.03.2013 registered under Sections 148, 149, 323, 325, 34 of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Sadar, Rohtak, District Rohtak as well as the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Reply on behalf of respondent No. 1/State is already on the case file.

Vide orders dated 29.05.2019, 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. However, statements of the parties could not be recorded as complainant did not turned up for recording of his statement before the learned trial Court. Thereafter, vide order dated 29.01.2020, the parties were again directed to appear before the trial Court for recording of their statements. In compliance to the same, report dated 12.03.2020 of learned Judicial Magistrate First Class, Rohtak has been received, wherein it is stated that in pursuance of the order of this Court, the complainant/victim appeared and he has compromised the matter with the accused persons. The statement of the parties have been recorded. The parties have compromised the matter in the present case as well as in cross version case. The complainant/victim has no objection in quashing of the FIR. Further, report in the matter received indicates that the compromise effected between the parties 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. 90 dated 30.03.2013 registered under Sections 148, 149, 323, 325, 34 of the IPC registered at Police Station Sadar, Rohtak, District Rohtak, as well as the consequential proceedings arising therefrom are quashed qua the petitioners.

16.03.2022
kavneet singh

(SANT PARKASH)
JUDGE

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