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

CRM-M-34529-2020

DECIDED ON: 18th AUGUST, 2022

DHEERAJ

PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Abhimanyu Singh, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Vikas Singh, Advocate for
Mr. Arun Dulgach, Advocate
for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

The instant petition under Section 482 Cr.P.C. has been filed for quashing of FIR No. 300, dated 22.08.2020, under Section 3 of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Sections 323 and 506 IPC (Annexure P-1) registered at Police Station City Sohna, District Gurugram and all subsequent proceedings arising therefrom on the basis of compromise dated 25.09.2020 (Annexure P-2).

During the pendency of the dispute, the parties have compromised the matter and filed the present petition for quashing.

Vide order dated 29.10.2020 parties were directed to appear

before the Illaqa Magistrate/Trial Court and for report with regard to the genuineness of the compromise.

The report dated 19.05.2021 has been received from learned Additional District & Sessions Judge, Gurugram stating that the compromise is genuine, voluntary and without any force, coercion, fear, pressure and undue influence..

Full Bench of this Court in ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052***, has held:-

“The only inevitable conclusion from the above discussion is that there is no statutory bar under the Cr.P.C. which can affect the inherent power of this Court under Section 482. Further, the same cannot be limited to matrimonial cases alone and the Court has the wide power to quash the proceedings even in noncompoundable offences notwithstanding the bar under Section 320 of the Cr.P.C., in order to prevent the abuse of law and to secure the ends of justice.

The power under Section 482 of the Cr.P.C. is to be exercised Ex-Debitia Justitia to prevent an abuse of process of Court. There can neither be an exhaustive list nor the defined para-meters to enable a High Court to invoke or exercise its inherent powers. It will always depend upon the facts and circumstances of each case. The power under Section 482 of the Cr.P.C. has no limits. However, the High Court will exercise it sparingly and with utmost care and caution. The exercise of power has to be with circumspection and restraint. The Court is a vital and an extra-ordinary effective instrument to maintain and control social order. The Courts play role of paramount importance in achieving peace, harmony and everlasting congeniality in society. Resolution of a dispute by way of a compromise between two warring groups, therefore, should attract the immediate and prompt attention of a Court

which should endeavour to give full effect to the same unless such compromise is abhorrent to lawful composition of the society or would promote savagery.”

There is compromise between the parties. To meet the ends of justice and considering that no useful purpose would be served in continuing with the trial, the petition is allowed and the above mentioned FIR (Annexure P-1) with all subsequent proceedings arising therefrom are quashed qua the petitioner in view of compromise (Annexure P-2).

**SANDEEP MOUDGIL
JUDGE**

18th AUGUST, 2022.
SHAM

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|---------------------------------|----------|
| 1. Whether speaking/ reasoned : | Yes / No |
| 2. Whether reportable : | Yes / No |