

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

CRM-M-17947 of 2023

Date of decision: 6th July, 2023

Vikas Vashisht

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Narender Kaajla, Advocate for the petitioner.
Mr. Rajiv Sidhu, DAG, Haryana.
Mr. Keshav Pratap Singh, Advocate for respondents
No. 2 and 3.

AVNEESH JHINGAN, J (Oral):

1. This petition under Section 482 of Code of Criminal Procedure is filed seeking quashing of FIR No. 36 dated 15.2.2023, under Sections 323 and 506 IPC, registered at Police Station Industrial Area, Bhiwani and all subsequent proceedings arising therefrom on the basis of compromise.

2. The FIR was lodged at the instance of Gopi Ram Vashisht. As per the allegations, on 14.2.2023, there was an altercation between the parties and injuries were sustained by respondent No. 3 (mother of the petitioner). The parties with the intervention of respectables have compromised the matter.

4. On 13.4.2023, the parties were directed to appear before the Illaqa Magistrate/trial court for getting their statements recorded with regard to compromise.

5. The report dated 3.5.2023 is received stating that the compromise is genuine, voluntary, without any coercion or undue influence. There is only one accused (petitioner herein) and he has not

been declared as proclaimed offender.

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

“There is no statutory bar in Cr.P.C. which affects inherent power of this Court under Section 482. The power of quashing is not limited to matrimonial cases alone.”

7. The Supreme Court in ***Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur and others v. State of Gujarat and another, 2017 AIR (SC) 4843*** laid down the broad principles governing the exercise of powers for quashing of FIR. It was held that the power under Section 482 Cr.P.C. is to be exercised by the High Court to secure the ends of justice, to prevent abuse of any process of law and in cases where in view of the compromise the possibility of conviction is remote and continuation of proceeding will cause oppression and prejudice.

8. The parties are related to each other. Respondents No. 2 and 3 are father and mother of the petitioner. With the intervention of friends and relatives, the parties have decided to forget and forgive and to save their relations to an extent possible. No useful purpose would be served by continuing with the trial. Due to compromise, there are bleak chances of conviction. To meet the ends of justice, the FIR mentioned above and all consequential proceedings arising therefrom are quashed.

9. The petition is allowed.

[AVNEESH JHINGAN]
JUDGE

6th July, 2023

mk

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