

or affected/aggrieved party other than the respondents, arrayed in the petition? (No)

(iii) Whether any accused has been declared Proclaimed Offender? (No)

(iv) Whether the compromise in question is found to be a valid compromise and has been effected without there being any kind of influence or coercion? (as per the statements of the complainant and accused, the compromise seems valid and without any kind of influence or coercion).”

4. Learned counsel for the petitioner contends the FIR has been registered on account of accidental injuries suffered by respondent No.2 while petitioner was driving motorcycle. The dispute between the parties has been amicably settled in terms of the compromise, Annexure P-2. Respondent No.2 had also instituted a petition under Section 166 of the Motor Vehicle Act for compensation. In terms of amicable settlement, a sum of Rs.4 lac has been paid to respondent No.2 by the petitioner and claim petition has been dismissed as withdrawn. Respondent No.2 has not suffered any disability much less permanent disability. An amicable settlement will help in maintaining cordial relations between them in future.

5. Learned counsel appearing 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.

6. 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.

7. 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.

8. 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*.

9. 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.955 dated 05.11.2016 under Sections 279/337/338 IPC registered at Police Station City Thanesar, Kurukshetra and all the subsequent proceedings arising therefrom on the basis of compromise are ordered to be quashed, however, qua the petitioner only.

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

12.05.2023
smriti

(VIVEK PURI)
JUDGE

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