

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Sr. No.279

CRM-M-33107-2023 (O&M)

Date of decision : 15.11.2023

Anil Kumar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Gaurav Gaur, Advocate, for the petitioner.

Mr. K.S. Thakur, AAG, Haryana

Mr. Sudesh Sahi, Advocate, for respondent No.2.

HARPREET KAUR JEEWAN, J. (Oral)

The present petition under Section 482 Cr.P.C. has been filed for quashing of FIR No.605 dated 22.07.2020, under Section 354-D IPC and Section 67 (A) of the IT Act, registered at Police Station Model Town Panipat City, on the basis of compromise dated 30.06.2023 (Annexure P-2) arrived at between the parties.

2. Learned counsel for the petitioner *inter alia* contends that the parties have amicably settled the dispute between them and a compromise deed dated 30.06.2023 (Annexure P-2) has also been executed between them.

3. In pursuance of the order dated 13.07.2023, report dated 10.08.2023 from the Pardeep Choudhry, Additional Chief Judicial Magistrate, Panipat has been received, verifying that the compromise between the parties is without any undue influence or pressure. He has further verified that the FIR was registered only against the petitioner, Anil

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is also verified that as per the statement of the investigating officer, no other criminal case is pending against the petitioner. Copies of the statement of respondent No.2, Parwati and the statement of the petitioner, Anil Kumar recorded by the Magistrate have also been appended alongwith the report dated 10.08.2023.

4. Hon'ble the Full Bench of this Court in **Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052**, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceedings where the High Court is of the opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

5. Since the matter has been settled between the parties, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

6. Consequently, the present petition is allowed and FIR No.605 dated 22.07.2020, under Section 354-D IPC and Section 67 (A) of the IT Act registered at Police Station Model Town Panipat City and all the subsequent proceedings emanating therefore are ordered to be quashed, qua the petitioner.

7. Pending miscellaneous application(s), if any, also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

15.11.2023

Ramandeep Singh

Whether speaking / reasoned

Yes/No

Whether Reportable

Yes/No