

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 245

Criminal Miscellaneous No.M-41643 of 2022

Date of Decision: *January 09, 2023*

Sachin Chauhan & others

..... PETITIONER(S)

VERSUS

State of Haryana & another

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Vikram Rana, Advocate, for the petitioners.

Ms. Ankita Ahuja, Assistant Advocate General, Haryana.

Mr. Manoj K. Sood, Advocate, for respondent No.2.

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Tribhuvan Dahiya, J (Oral)

The instant petition under Section 482 Cr.P.C. has been filed seeking quashing of FIR No.577 dated 02.12.2017 registered under Sections 498-A, 323, 406, 34, 354 IPC at Police Station, Faridabad NIT (Annexure P-1) alongwith consequential proceedings in view of the compromise dated 09.07.2022 (Annexure P-2).

Keeping in view the fact that the parties have entered into a compromise, this Court vide order dated 12.09.2022 had directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 19.12.2022 has been received from Judicial Magistrate Ist Class, Faridabad, stating that the compromise arrived at between the parties is without any pressure, coercion or undue influence.

Learned State counsel and learned counsel appearing on behalf of respondent No.2-complainant admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal prosecution in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh vs. State of Punjab & another*, 2012(10) SCC 303 and *Narinder Singh & others vs. State of Punjab and another*, 2014(6) SCC 466 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

Consequently, this petition is allowed. FIR No.577 dated 02.12.2017 under Sections 498-A, 323, 406, 34, 354 IPC registered at Police Station, Faridabad NIT (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed *qua* the petitioners.

(Tribhuvan Dahiya)
Judge

January 09, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No