Neutral Citation: 2023:PHHC:071131

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

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**CRM-M-22622-2022**
**Date of decision: 16.05.2023**

Surender Singh

....Petitioner

**Versus**

State of Haryana and another

...Respondents

**CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY**

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Present : Mr. Akshat Dalal, Advocate
for the petitioner

Mr. Dhruv Sihag, AAG, Haryana

Mr. Ashok K. Sharma(Bhana), Advocate
for respondent No. 2-complainant

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**AMAN CHAUDHARY. J.**

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of the impugned FIR No.262 dated 14.07.2019 registered under Sections 406, 420, 506 and 34 IPC at Police Station Civil Line, District Jind.

2. The parties have amicably resolved the matter before the mediation and conciliation Centre of this Court on 25.03.2022, report of which has been placed as Annexure P-3.

3. Learned counsel for the petitioner submits that in terms of the aforesaid settlement, the entire amount has been paid and a no dues certificate has also been supplied to respondent No. 2 and as per 7(e) of the settlement agreement, it was agreed by second party/respondent No. 2, not to prosecute the pending trial on the basis of the FIR and that he has no objection if the same is

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quashed by this Court in the present proceedings.

4. Learned State counsel submits that Challan was presented in this case, however, charges have not been framed. He further submits that he has no objection if the FIR is quashed on the basis of the compromise.

5. Learned counsel appearing for respondent No. 2, on instructions from his client submits that he has no objection as regards quashing of the FIR as all terms and conditions of the settlement aforesaid have been complied with and the matter stands amicably settled before the Mediation and Conciliation Centre of this Court.

6. Heard learned counsel for the parties and have also gone through the case file.

7. The Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab,** 2007 (3) RCR (Criminal) 1052, held that High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offence and quash the prosecution where the High Court is of the view that the same was required to prevent the abuse of the process of law or otherwise to secure the ends of justice. This power of quashing is not confined to matrimonial disputes alone.

8. Hon'ble The Supreme Court in the case of **Gian Singh vs. State of Punjab and another,** 2012 (4) RCR (Criminal) 543, had observed that in order to secure the ends of justice or to prevent the abuse of process of Court, inherent power can be used by this Court to quash criminal proceedings in which a compromise has been effected. The relevant portion of para 57 of the said judgment reads thus:-

> “57. The position that emerges from the above discussion can be

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> summarised thus: the power of the High Court in quashing a criminal proceeding or FIR or complaint in exercise of its inherent jurisdiction is distinct and different from the power given to a criminal court for compounding the offences under Section 320 of the Code.
>
> Inherent power is of wide plenitude with no statutory limitation but it has to be exercised in accord with the guideline engrafted in such power viz; (i) to secure the ends of justice or (ii) to prevent abuse of the process of any Court. XXX---XXX"

9. In view of the above-referred judgments, facts and circumstances of the case, this Court finds that quashing of FIR will accord a quietus to all disputes between the parties and it is in the interest of both sides to bury the hatchet and lead a peaceful life. Thus, no useful purpose would be served in continuing the proceedings and in order to secure the ends of justice, the criminal proceedings in the present case deserve to be quashed.

10. Resultantly, the present petition is allowed and FIR No.262 dated 14.07.2019 registered under Sections 406, 420, 506 and 34 IPC at Police Station Civil Line, District Jind, Annexure P-1 and all other consequential proceedings arising therefrom are quashed qua the petitioner.

**(AMAN CHAUDHARY)**
**JUDGE**

**16.05.2023**
*Mehak*

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No

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