

CRM -M-40482 of 2016

In the High Court of Punjab and Haryana at Chandigarh

CRM -M-40482 of 2016

Date of Decision: 31.3.2017

Mukul Bhaduarua and another

---Petitioners

versus

State of Haryana and another

---Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

Present: None for the petitioners.

None for the respondent-State

Rekha Mittal, J.

By invoking Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 303 dated 29.9.2014 for offence punishable under Sections 498-A, 406 read with Section 34 of the Indian Penal Code (in short, 'IPC') registered in Police Station, Sector-40, Gurgaon and proceedings emanating therefrom

on the basis of compromise dated 19.7.2016 (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Priyanka Parihar daughter of Sh. N.S.Parihar. Now, dispute between the parties has been resolved by way of compromise (Annexure P-2).

Vide order dated 16.2.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by Judicial Magistrate Ist Class, Gurugram wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter.

Perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) *R.C.R. (Criminal)* 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of

criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

For the foregoing reasons, the petition is allowed and FIR No. 303 dated 29.9.2014 for offence punishable under Sections 498-A, 406 read with Section 34 IPC registered in Police Station, Sector-40, Gurgaon and proceedings emanating therefrom stand quashed qua the petitioners.

(Rekha Mittal)
Judge

31.3.2017

PARAMJIT

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No