
(2021) 01 P&H CK 0282

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 43678 Of 2020 (O&M)

Suraj @ Gollu

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 21-01-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 482
Indian Penal Code, 1860 — Section 34, 323, 452

Citation : (2021) 01 P&H CK 0282

Hon'ble Judges : Archana Puri, J

Bench : Single Bench

Advocate : Parminder Singh, Harpreet Kaur, Sukhdeep Singh

Final Decision : Allowed

Judgement

Archana Puri, J

The matter has been taken up through video conferencing in the light of the COVID-19 pandemic.

The petitioner has invoked inherent jurisdiction of this Court by way of filing petition under Section 482 Cr.P.C., thereby making prayer for quashing of

FIR No.754 dated 01.12.2020, under Sections 323, 34, 452 and 506 IPC, registered at Police Station Karnal City, District Karnal and all subsequent

proceedings arising therefrom, on the basis of compromise.

On 23.12.2020, notice of motion was issued and parties were directed to appear before the Illaqa Magistrate/Trial Court/Duty Magistrate and and get

their statements recorded with regard to arrival of compromise between them. The Trial Court was directed to record the statements of all the

concerned and send the report regarding genuineness of the compromise.

In compliance of the order dated 23.12.2020, learned Addl. Chief Judicial Magistrate, Karnal, has recorded the statements of the parties and submitted

his report, the relevant para whereof reads as under:-

“On the basis of statements of the parties, undersigned is of the view that compromise between petitioner/accused Suraj @ Gollu and

respondents/complainants is genuine, valid, without any coercion and undue influence.”

After hearing the learned counsel for the parties and also 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 an settlement, out of the Court, by way of compromise. The compromise, so reached between the parties is voluntarily made without any

pressure or undue influence on the minds of any of the parties. Moreover, the parties are residents of same colony and thus, arrival of the compromise

shall remove bitterness existing between them, on account of initiation of criminal proceedings and shall give quietus to the dispute between them.

In view of the same, the continuation of the criminal proceedings would be futile exercise resulting in sheer abuse of the process of law.

To so conclude, reliance is placed upon “Kulwinder Singh and others Vs. State of Punjab and another”, 2007(3) RCR (Criminal) 105,2 upheld by

Hon'ble Apex Court in “Gian Singh Vs. State of Punjab and others”, (2012) 10 SCC 303.

Considering the aforesaid fact situation of the case, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.754 dated

01.12.2020, under Sections 323, 34, 452 and 506 IPC, registered at Police Station Karnal City, District Karnal and all the consequential proceedings

arising therefrom, are ordered to be quashed.

Accordingly, the present petition stands allowed.