

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

247

CRM-M-13324-2015

Date of Decision: 20.7.2015

VIRENDER KUMAR

.....Petitioner

Vs

STATE OF HARYANA AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Sanchit Punia Advocate,
for the petitioner.

Mr.RipuDaman, AAG, Haryana.

Mr.Sunny Dhull, Advocate,
for respondent No.2.

Mr. Amit Khatkar, Advocate and
Mr.Kuldeep Sheoran, Advocate
for Promila d/o Chhotu Ram

RAJ MOHAN SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.747 dated 31.10.2014 registered under Sections 420, 406, 467, 468, 471, 34 IPC at Police Station Hisar Civil Lines, District Hisar on the basis of compromise.

Vide order dated 27.4.2015, parties were directed to appear before Chief Judicial Magistrate, Ist Class, Hisar on 7.5.2015 and the Magistrate was directed to record their statements and submit its report qua the genuineness of the

compromise effected between the parties.

In pursuance to the aforesaid order, joint statement of the parties was recorded before Chief Judicial Magistrate, Hisar on 13.5.2015.

At this stage, Mr. Amit Khatkar, Advocate along with Mr. Kuldeep Sheoran, Advocate appears and states that at the instance of their client, namely, Promila, offences under Sections 467, 468, 471, 34 IPC were added in the present FIR and she is also necessary party to be heard before quashing the FIR on the basis of compromise.

Learned counsel further points out that common grand mother of the parties, namely, Chando Devi died on 17.2.2008. Property of Chando Devi was to be devolved upon Dalip Singh and Chhotu Ram. Petitioner is descendant from Dalip Singh, whereas, Promila is one of the daughters of Chhotu Ram. Since share belonging to Promila and other descendants of Chhotu Ram has been usurped by the petitioner, therefore, this FIR needs to be brought to some logical end other than compromise.

In view of aforesaid, quashing of FIR on the basis of compromise cannot be allowed. However, parties may resort to the remedy available to them in law.

Petition stands disposed of.

July 20, 2015

(RAJ MOHAN SINGH)
JUDGE

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