

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

**Criminal Misc. No. M-1342 of 2015
Date of Decision:-10.04.2015**

Sharda and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. S.S. Verma, Advocate
for the petitioners.

Mr. Baljinder Singh Virk, Deputy A.G.Haryana.

Mr. Sudhir Rana, Advocate
for respondent No.2-complainant.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.585 dated 21.10.2014, under Sections 420, 467, 468 and 471 IPC read with Section 120-B IPC, registered at Police Station Sadar, Dadri, District Bhiwani (Annexure P-1) on the basis of compromise in the shape of affidavit of complainant Kamla Devi dated 6.1.2015 (Annexure P-2).

Vide order dated 14.1.2015, this Court passed the following order :-

“Notice of motion be issued to the respondents,
returnable for 10.04.2015.

In the meantime, parties are directed to get their

statements recorded, before the trial Court and the trial Court is directed to send the report, with regard to the validity or otherwise of the compromise, after recording the statements of all the concerned parties, before the next date of hearing.”

In compliance of the order dated 14.1.2015, the parties have appeared before the learned Magistrate on 1.4.2015 for getting their statements recorded.

The report received from the learned Judicial Magistrate 1st Classs, Charkhi Dadri, reveals that the compromise has been effected between the parties without any undue pressure or any undue influence.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise for an offence punishable under Section 420, 467, 468 and 471 IPC read with Section 120-B IPC IPC and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)**, this petition is accepted and FIR No.585 dated 21.10.2014, under Sections 420, 467, 468 and 471 IPC read with Section 120-B IPC,

registered at Police Station Sadar, Dadri, District Bhiwani and the consequential proceedings arising therefrom are hereby quashed.

April 10, 2015
Vijay Asija

(*HARI PAL VERMA*)
JUDGE