

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

CRM- M No. 18667 of 2015

Date of decision : June 1, 2015

Lanco Solar Engery Private Limited

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM:

HON'BLE MR. JUSTICE AMIT RAWAL

Present:-

Mr. K. S. Khehar, Advocate
for the petitioners.

Mr. Ishaan Bhardwaj, Advocate
for respondent No.2

1. Whether reporters of local papers may be allowed to see the judgment ?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

Amit Rawal, J (oral).

The present petition is filed for quashing of the FIR No. 142 of 2015 dated 16.4.2015 filed under Section 406/420 of the Indian Penal Code, 1860 in view of the compromise dated 16.5.2015 arrived at between the complainant and the petitioner.

Notice of the Criminal Misc. Petition be issued to the State.

At the asking of the Court, Mr. Ravi Partap Singh, Assistant Advocate General, Haryana accepts notice on behalf of the State and Mr. Ishan Bhardwaj, Advocate for the complainant-respondent No.2.

Learned counsel for the petitioner states that as per clause 5 of the Settlement Agreement (Annexure P-3), the petitioner has agreed to pay to the complainant an amount of ₹42,50,000/- by way of a Demand Draft to be paid at the time when the FIR in

question is being quashed.

Mr. K. S. Khehar, Advocate submits that his client has brought a draft of ₹42,50,000/- bearing No. 489158 dated 7.5.2015 in favour of Jindal Mectec Private Ltd. drawn on State Bank of India and has handed over the same to the complainant-namely Sh. Shiv Kumar s/o Sh. Shyam Lal Sharma who is identified by Mr. Ravi Partap Singh, Assistant Advocate General, Haryana and counsel being authorized signatory of the respondent-Company.

The grievance of the petitioner has been vindicated on receipt of the balance amount of ₹42,50,000/- and the petitioner do not press for the charges/allegations made in the FIR.

The parties have submitted that the police has not submitted any challan and the investigation is at preliminary stage.

In view of the fact that the parties have arrived at a compromise and have already adhered to the terms and conditions of the FIR and there is no need for continuing with the FIR.

Accordingly, in view of the Settlement Agreement (Annexure P-3) the FIR is quashed. The parties shall be bound by the terms and conditions of the compromise.

The Criminal Misc. petition stands disposed of.

(AMIT RAWAL)
JUDGE

June 1, 2015
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