

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-18836 of 2015

.....

Date of decision:1.10.2015

Narender Singh Chadha

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. M.K. Garg, Advocate for the petitioner.

Mr. Bijender Sharma, Assistant Advocate General,
Haryana for the respondent-State.

None for complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.1120 dated 13.11.2014 registered for the offences under Sections 406, 420, 506, 323 and 34 IPC at Police Station Chandnibagh, Panipat and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant-Dharamvir Rewari on the allegations that the accused including the petitioner by hatching conspiracy have cheated him and also gave him slaps and threatened to kill him. Now with intervention of respectable persons,

the matter has been amicably settled and compromise has been entered into between the complainant and the petitioner, therefore, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Additional Chief Judicial Magistrate, Panipat has sent his report dated 9.6.2015 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Assistant Advocate General, Haryana, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR qua the petitioner in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Haryana and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court

in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.1120 dated 13.11.2014 registered for the offences under Sections 406, 420, 506, 323 and 34 IPC at Police Station Chandnibagh, Panipat and all subsequent proceedings arising out of the same are hereby quashed qua the petitioner.

October 1, 2015.

(Inderjit Singh)
Judge

hsp