

CRM-M NO.1888 OF 2015

Date of decision: 19.03.2015

Sandeep Sharma and others

..... Petitioners

versus

State of Haryana and another

..... Respondents

Coram: Hon'ble Mr. Justice Mahesh Grover

Present: Ms. Sushma Chopra, Advocate
for the petitioners.

Mr. P.S.Chuahan, Addl.AG,Haryana.

Mahesh Grover, J.(Oral)

This is a petition under Section 482 Cr.P.C praying for quashing of FIR No. 438 dated 6.09.2013 registered under Sections 406, 420 IPC at Police Station Baldev Nagar, Ambala District Ambala and all consequent proceedings arising therefrom on the basis of a compromise.

On 19.01.2015, this Court had directed the Trial Court to record the statement of all the affected persons and further record a finding as to whether the compromise has been effected voluntarily by the parties and a report in this regard was also called for.

That report has since been received alongwith copies of the statements of the affected persons which also indicates that the matter has been resolved amicably between the parties without any pressure from any quarter.

The Hon'ble Supreme Court in ***Gold Quest International***

Private Ltd. vs. State of Tamil Nadu and others, 2014(4) RCR (Crl.) 206 has held that the disputes which are substantially matrimonial in nature, or the civil property disputes with criminal facts, if the parties have entered into settlement, and it has become clear that there are no chances of conviction, there is no illegality in quashing the proceedings under Section 482 Cr.P.C read with Article 226 of the Constitution.

The Hon'ble Division Bench of this Court in **Sube Singh & anr. vs. State of Haryana & anr., 2013(4) RCR (Crl.) 102** has held that the High Court is vested with unparalleled power to quash criminal proceedings at any stage to secure the ends of justice.

Having regard to the aforesaid and the observations made by the Full Bench of this Court in **Kulwinder Singh v. State of Punjab** reported as **2007(3) Law Herald 2225** and of Hon'ble Supreme Court in **Gian Singh Vs. State of Punjab** reported as **2012 (4) RCR (Crl.) 543**, instant petition is accepted. Consequently, No. FIR 438 dated 6.09.2013 registered under Sections 406, 420 IPC at Police Station Baldev Nagar, Ambala District Ambala and all consequent proceedings arising therefrom are hereby quashed.

19th March, 2015
Shivani Kaushik

[Mahesh Grover]
Judge