

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-29113 of 2014
Date of decision : 04.09.2015

Rajesh Kumar and others

.....Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sanjay Vashisth, Advocate
for the petitioners

Mr. Deepak K. Grewal, DAG Haryana

Mr. Raman Sharma, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No. 13 dated 12.01.2013 filed under Sections 406, 420, 467, 471, 506, 34 IPC registered at Police Station Bhupani, District Faridabad (Haryana) and the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that report has already been received from the trial Court. He further states that petitioners No. 1 and 2 could not appear as earlier petitioner No. 1 was in custody and warrants had been issued against petitioner No. 2 in other case and the authorized representatives of M/s Pal Infrastructure and Developers Pvt. Ltd. - petitioner No. 3 and the complainant had already appeared and made a statement that he had received the entire amount and had no objection if the FIR is

quashed. They have also placed on record the Board Resolution vide which Manjeet Kumar had been authorized to make a statement in the Court. He further states that since statement has already been made by the complainant the FIR may be quashed.

Learned counsel for the complainant has no objection.

Learned State counsel on instructions submits that petitioners are the accused and respondent No. 2 is the complainant in this case.

No useful purpose would be served to keep the said FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another***, 2007(3) RCR (Criminal) 1052, approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others*** (2012) 10 SCC 303, the instant petition is allowed and the aforesaid FIR and all the consequent proceedings arisen out of the same are quashed qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

04.09.2015

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(ANITA CHAUDHRY)
JUDGE