

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

CRM No.M-30004 of 2014 (O&M)

Date of decision: 02.03.2015

Amarjit Singh & another ... Petitioners

Versus

State of Haryana & another ... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. S.K. Monga, Advocate for the petitioners.

Mr. M.S. Sidhu, Additional Advocate General, Haryana.

Mr. Mukesh Rao, Advocate
for the complainant/respondent No.2.

.....

TEJINDER SINGH DHINDSA, J. (ORAL).

CRM No.4285 of 2015:

Application is allowed as prayed for. Documents at Annexures P-9 to P-13 are taken on record. Complete copy of the application along with Annexures already stand supplied to the counsel for the complainant/respondent No.2.

With the consent of the counsel for the parties, the date in the main petition is preponed from 08.04.2015 and is taken up on Board today itself.

Application is disposed of.

Main case:

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.208 dated 13.06.2014 under Sections 406/420/467/

468/471/120-B/506 IPC registered at Police Station Sadar Sirsa on the basis of compromise, which is stated to have been entered into between the parties.

Counsel appearing for the petitioners would advert to the compromise deed placed on record at Annexure P-12 as also order dated 29.01.2015 passed by the Additional Chief Judicial Magistrate, Sirsa at Annexure P-13 after recording the statements of the parties in token of the compromise having been entered into.

Even counsel appearing for the complainant/respondent No.2 makes a submission that in the light of the compromise having been entered into, he would have no objection as regards the FIR in question being quashed.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in ***Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052.***

Adverting to the facts of the present case, the dispute between the parties was purely civil in nature. The parties have taken a conscious decision to amicably resolve the matter and have entered into a compromise.

In the light of the compromise having been affected between the parties, it would be a futile exercise for the criminal proceedings to continue as such. It would be construed as an abuse of the process of law as also of the Court.

For the reasons recorded above, the present petition is accepted.

FIR No.208 dated 13.06.2014 under Sections 406/420/467/468/471/

120-B/506 IPC registered at Police Station Sadar Sirsa and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

02.03.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**