

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

***CRM No. M-3052 of 2015 (O&M)
Date of Decision: 24.03.2015.***

S.K. Jain & others

--Petitioners

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. Ajay Jain, Advocate for the petitioners.

Mr. Satish Saini, DAG, Haryana.

Mr. R.N. Singal, Advocate
for the complainant/respondent No.3.

....

TEJINDER SINGH DHINDSA.J.

The instant petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.4 dated 03.01.2015, under Sections 420/406 of the Indian Penal Code, registered at Police Station DLF Qutub Enclave, Gurgaon on the basis of compromise.

While issuing notice of motion, this Court on 29.01.2015 had directed the parties to appear before the concerned Illaqa Magistrate for recording of their statements.

Placed on record is the report dated 16.02.2015 of the learned Chief Judicial Magistrate, Gurgaon. Perusal of the same would reveal that statements of the parties stand duly recorded and it has been opined that a compromise had been entered into between the parties and the same is genuine and without any coercion or undue influence.

Mr. R.N. Singal, Advocate, who has put in appearance on behalf of the complainant/respondent No.3 also makes a statement that he has no objection if the impugned FIR is to be quashed in the light of the

compromise that has been effected.

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 & another, 2007 (3) RCR (Criminal) 1052***. The Full Bench of this Court had examined the scope and ambit of the powers vested with the Courts under Section 482 Cr.P.C. and had categorically held that in appropriate cases, it would be open for the High Court to intervene and to set aside the criminal proceedings even in relation to offences which are not compoundable.

Adverting back to the facts of the present case, wherein dispute between the parties, which was essentially civil in nature having been amicably resolved, this Court is of the considered view that it would be a fit case for this Court to intervene and to bring to an end the criminal proceedings initiated in the light of the impugned FIR. In the light of the compromise having been effected between the parties, it would be a futile exercise for the criminal proceedings to continue as such.

Petition is allowed. The impugned FIR No.4 dated 03.01.2015 under Sections 420/406 of the Indian Penal Code, registered at Police Station DLF Qutub Enclave, Gurgaon and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

24.03.2015

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**