

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-31336 of 2014

.....

Date of decision:19.2.2015

Shashi Bala

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Present: Mr. Arvinder Arora, Advocate for the petitioner.

Mr. Surinder Singh Pannu, Deputy Advocate General,
Haryana for the respondent-State.

None for complainant-respondent No.2.

.....

Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.275 dated 24.9.2013 (Annexure-P.1) registered for the offences under Sections 454 and 380 IPC at Police Station Naraingarh, District Ambala and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.2).

The FIR has been registered on the statement of complainant-Bhushan Aggarwal on the allegations that the accused-petitioner stolen various important documents from his commission agent shop in Booth No.39 under the name of M/s Subhash Chand and Company. Now with intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a

compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Sub Divisional Judicial Magistrate, Naraingarh has sent her report dated 20.11.2014 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 Deputy 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 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 Deputy 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

[3]

petition is allowed and FIR No.275 dated 24.9.2013 (Annexure-P.1) registered for the offences under Sections 454 and 380 IPC at Police Station Naraingarh, District Ambala and all subsequent proceedings arising out of the same are hereby quashed.

February 19, 2015.

(Inderjit Singh)
Judge

hsp