

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-35237 of 2014 (O&M)
Date of decision : 22.01.2015

Om Parkash and anotherPetitioners
versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Pankaj Bali, Advocate,
for the petitioners

Mr. C.S. Bakhshi, Addl.A.G. Haryana

RITU BAHRI, J. (Oral)

Quashing of FIR No. 849 dated 26.08.2013 under Sections 420/467/468/471/506 IPC, registered at P.S. City Karnal (P-1), is being sought on the basis of compromise dated 06.08.2014 (Annexure P-2) and affidavit dated 27.01.2014 (P-2).

F.I.R has been registered on the statement of respondent No. 2 against the petitioners with the allegations that the complainant had purchased H. NO. 92, Ekta Colony, Karnal, vide agreement dated 03.03.2010 against a sum of Rs.22/- lacs. The complainant wants to execute and register the sale deed of the said house but the accused hatched a conspiracy and requested the complainant that they will execute the sale deed later on. The complainant paid the entire sale consideration and the accused persons execute and registered GPA bearing vasika No. 1130 dated 03.03.2010 in favour of the complainant. When the complainant started residing in the said house, he came to know that a loan against the said house had been raised by the accused. When the complainant asked the same to accused, the accused cancelled the registered G.P.A.

The matter has now been duly compromised, vide compromise dated 27.01.2014 (Annexure P-2)

In compliance of order dated 13.10.2014, report of District and Sessions Judge, Karnal has been received in this regard. As per report, statement of complainant-Jitender Rana has been recorded to the effect that he had compromised the matter with the accused persons and have no grudge against them. He has no objection, if the present F.I.R be quashed against the petitioners. Joint statement of petitioners-Om Parkash and Deepak Sharma has been recorded to the same effect. The compromise has been entered voluntarily and without any pressure.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 849 dated 26.08.2013 under Sections 420/467/468/471/506 IPC, registered at P.S. City Karnal (P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of.

22.01.2015
G Arora

(RITU BAHRI)
JUDGE