

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

**CRM-M-9305 of 2015
Date of Decision: May 26, 2015**

Ravi Dagar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. Kunal Dawar, Advocate
for the petitioner.

Mr. Munish Sharma, AAG, Haryana.

FATEH DEEP SINGH, J.

Report dated 7.4.2015 sent by learned Judicial Magistrate Ist Class, Faridabad has been received, whereby, after recording statements of the petitioner Ravi Dagar as well as of complainant Yogesh Sharma it has been informed that the parties have effected a compromise voluntarily on their free will and accord without any pressure.

After hearing learned counsel for the parties. The allegations against the petitioner are regarding cheating in respect of buying a plot and a sum of ₹28,58,000/- and ₹4,00,000/- was paid on 18.11.2011 on two different occasions and it subsequently transpired that in fact a fraud has been committed and the plot in question was owned by one S.K. Aggarwal, who purchased it from original owner S.K. Verma leading to registration of the present case against the present petitioner-Ravi Dagar and his co-accused/non-applicants Sonu Kumar and Anil Bhadana and out of whom the present petitioner has effected a compromise with the complainant Yogesh Sharma. The allegations are pertaining to certain non-compoundable offences and by now it is well settled position of law as has been laid down in **Jayrajsinh**

Digvijaysinh Rana vs. State of Gujarat and another 2012 (4) RCR (Criminal) 589 by the Hon'ble Apex Court that even for offences which are not compoundable the Court in exercise of its powers under Section 482 Cr.P.C. can quash the proceedings as in the modern set up compromise leads to harmony and orderly behaviour and advances the theory of reformation.

The feeble attempt of the State that only a single accused out of the four accused cannot be allowed to compromise needs to be brushed aside as this Court in the case of **Parambir Singh Gill vs. Malkiat Kaur 2010(1) RCR (Criminal) 256** has held it so that complainant can be allowed to compromise the matter even with one accused and proceedings qua that accused can be quashed by the High Court in exercise of its powers under Section 482 Cr.P.C. Similar was the proposition of law laid down in **Sarabjit Singh Vs. State of Punjab 2007 (3) RCR (CrL.) 479.**

Since the Court below has shown its satisfaction over the compromise being an outcome of voluntariness and without any undue influence, thus, to ensure that the future lives of the complainant and the accused-petitioner Ravi Dagar is led blemishless without any scar of ill will and hatred FIR No.184 dated 22.3.2014 under Sections 420,467,468,471,120-B IPC Police Station, Ballabgarh City, District Faridabad and all other consequential proceedings arising therefrom qua the present petitioner-Ravi Dagar are hereby quashed. However, qua other accused the proceedings shall remain continue.

Petition stands disposed off in those terms.

(FATEH DEEP SINGH)
JUDGE

May 26, 2015
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