

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-16045 of 2014 (O&M)

.....

Date of decision:2.8.2016

Lalit Bihari Jain and others

...Petitioners

v.

State of Haryana and another

...Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. H.K. Aurora, Advocate for the petitioners.

Mr. D.R. Singla, Deputy Advocate General, Haryana for
the respondent-State.

Mr. Sanjay Tangri, Advocate for the complainant-respondent
No.2 along with complainant-Harvinder Pal Singh in person.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.381 dated 10.8.2012 (Annexure-P.1) registered for the offences under Sections 406, 420 and 120-B IPC at Police Station Ambala City, District Ambala and all other subsequent proceedings arising therefrom on the basis of compromise arrived at between the parties before Mediation and Conciliation Centre of this Court.

During the pendency of this petition, this matter was referred to Mediation and Conciliation Centre of this Court, and compromise has been entered between the parties, but learned counsel for the respondent No.2

states that earlier the compromise was effected, but it could not be implemented to the satisfaction of the parties.

Today, respondent No.2-Harvinder Pal Singh, who is present in Court, states that compromise has been effected & implemented and he has no objection if the FIR is quashed in view of the said compromise.

In view of the statement made by complainant-respondent No.2 before this Court today and also the fact that compromise has been effected between the parties and affidavit dated 2.8.2016 has been sworn by the complainant, which has been placed on record, the FIR along with all subsequent proceedings is liable to be quashed.

Learned Deputy Advocate General, Haryana, on instructions from the Investigating Officer, and learned counsel for the complainant-respondent No.2 admit the factum of compromise and have no objection if the impugned FIR and all other subsequent proceedings arising therefrom are quashed.

I have heard learned counsel for the petitioners, learned Deputy Advocate General, Haryana appearing for the respondent-State and learned counsel for the complainant-respondent No.2 and have gone through the record.

After giving my thoughtful consideration to the matter, it may be noticed that the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, has held that the inherent jurisdiction of this Court under Section 482 Cr.P.C. can be exercised to quash the proceedings in respect of criminal cases arising from commercial, financial,

mercantile, civil, partnership or such like transactions or the offences arising out of matrimony relating to dowry etc. or the family disputes where the wrong is basically private or personnel in nature and the parties have resolved their entire dispute even though they are not compoundable.

Keeping in view the factum of compromise and the law laid down by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another (supra), this petition is allowed and FIR No.381 dated 10.8.2012 (Annexure-P.1) registered for the offences under Sections 406, 420 and 120-B IPC at Police Station Ambala City, District Ambala and all other subsequent proceedings arising therefrom are hereby quashed on the basis of compromise arrived at between the parties before Mediation and Conciliation Centre of this Court.

August 2, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No