

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

CRM-M-19044 of 2016

Date of decision: 26.09.2016

Suraj Bhan Thakur

----Petitioner (s)

V/s

State of Haryana & another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr.P.S. Jammu, Advocate for the petitioner.

Mr. Sulinder Kumar, AAG, Haryana.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition is for quashing of FIR No.53 dated 20.03.2012 for offence under Section 420, 467, 468 and 471 IPC, registered at Police Station Faridabad NIT, District Faridabad and all consequential proceedings arising therefrom on the basis of compromise/affidavit of respondent No.2 dated 20.05.2016 (Annexure P-4).

This Court vide order dated 30.05.2016 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded with regard to compromise and the Illaqa Magistrate/trial Court was directed to submit its report qua the genuineness of the compromise.

Pursuant to the aforesaid order dated 30.05.2016, the parties have appeared before learned Judicial Magistrate Ist Class, Faridabad and

got their statements recorded. On the basis of the statements so recorded, learned Magistrate has forwarded report dated 10.08.2016 to the effect that the parties have willfully settled their differences and reached at a bona fide compromise without any pressure and the same is genuine.

Though, today no one is present on behalf of respondent No.2-complainant, but no prejudice would be caused to him, as he has already suffered a statement with regard to validity of the compromise before learned Magistrate on 19.07.2016. The said statement reads as under:-

“Stated that the present matter has been settled between the parties amicably and voluntarily without any force, pressure or any sort of undue influence. No grievance remains against the accused qua the complainant. I have condoned all the acts of the accused. I do not want to pursue the present case/FIR against the accused Suraj Bhan.”

Apart from the statement of the complainant-respondent No.2-Joginder Chawla, whereby he has shown no objection to the FIR being quashed, there is nothing on record to doubt the genuineness of the compromise, as arrived between the parties. Thus, no useful purpose would be served to continue with the proceedings in the instant FIR.

Learned counsel for the State counsel does not dispute the factum of compromise entered between the parties.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal) 1052 (P&H)**, as approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others, (2012)10 SCC 303**, this petition is allowed and FIR No.53 dated

20.03.2012 for offence under Section 420, 467, 468 and 471 IPC, registered at Police Station Faridabad NIT, District Faridabad and all other consequential proceedings arising therefrom, are quashed, qua the petitioner, in view of the compromise/affidavit of respondent No.2 dated 20.05.2016 (Annexure P-4).

26.09.2016
Anjal

[HARI PAL VERMA]
JUDGE

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No