

CRM-M-25373-2016

Date of Decision : 17.12.2016

Sudesh Kumar

.....Petitioner

versus

State of Haryana and another

....Respondents

**CORAM : HON'BLE MR. JUSTICE M.M.S. BEDI****Present:** Mr. Ranvir Singh Arya, Advocate  
for the petitioner.

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

**M.M.S. BEDI, JUDGE (ORAL)**

Petitioners seek quashing of FIR No. 233 dated 22.09.2013 under Sections 406, 420, 467, 468, 471 IPC registered at Police Station DLF Phase-I, Gurgaon on the basis of compromise having been arrived at between the parties.

The said FIR was registered at the instance of respondent No. 2, complainant, alleging that the petitioner had committed fraud to the extent of Rs. 1,25,00,000/- with the complainant by entering into an agreement of sale *qua* different lands and having received the earnest money. Later on, the complainant came to learn that the petitioner had already sold the same land through his General Power of Attorney holder Smt. Manju to different people and one of the purchasers, Surender, had obtained the stay order from the Court of law, in context to the property.

Without expression of any opinion on merits, it is sufficient to observe by this Court that parties appeared before the Illaqa Magistrate and got their statements recorded. As per the report received,

the matter has been amicably settled.

In said circumstances, it will not be appropriate for this Court to not permit compounding.

In view of the Full Bench judgment of this Court in *“Kulwinder Singh vs. State of Punjab, 2007 (3) Recent Criminal Reports (P&H), 1052”*, I am of the opinion that on account of the matter having been amicably resolved between the parties, neither any useful purpose will be served nor any fruitful result by trial would be achieved.

The petition is allowed. The aforesaid FIR and all the consequent proceedings emanating therefrom are hereby quashed on the basis of compromise.

**(M.M.S. BEDI)**  
**JUDGE**

**17.12.2016**  
*Neha*

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No