

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM No.M-25789 of 2015 (O&M)

Date of Decision: 28.05.2016

Vinay Rai

... Petitioner

Versus

State of Haryana and another

... Respondents

CRM No.M-21914 of 2015 (O&M)

Sadhana Rai

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Sagar Deswal, Advocate and
Mr. Shakeel Ahmed, Advocate,
for the petitioner(s).

Mr. Vivek Saini, DAG, Haryana.

Mr. D.K.Tuteja, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.(ORAL)

This order shall dispose of CRM Nos.M- 25789 of 2015 titled as Vinay Rai Vs. State of Haryana and another and CRM No.M-21914 of 2015 titled as Sadhana Rai Vs. State of Haryana and another as both these connected petitions have been filed under Section 482 Cr.P.C. seeking quashing of FIR No.322 dated 27.06.2015 under Sections 406 and 420 of Indian Penal Code, registered at Police Station Civil Lines, Rohtak.

Briefly, it may be noticed that the accusations against the petitioner(s) in these two connected petitions are of having connived with each other and having taken payment from the complainant on the pretext that the University in question i.e. N.I.I.L.M. is approved for distance education programmes.

Since the parties had shown an inclination to amicably settle the dispute, the matter had been referred to the Mediation and Conciliation Centre of this Court.

Placed on record is a report dated 27.05.2016 of Ms. Puneeta Sethi, who had acted as the Mediator. Appended along with report of mediator is a settlement/agreement dated 27.05.2016 containing the precise terms and conditions of the settlement.

Mr. D.K.Tuteja, learned counsel appearing for the complainant i.e. Chander Garg/respondent No.2 also makes a statement that the settlement has been arrived at as per terms and conditions contained in the agreement dated 27.05.2016 in the presence of the Mediator. He states that he would have no objection to the quashing of the FIR provided the accused party strictly adhere to the terms and conditions contained in the settlement.

In view of the above, this Court is of the considered view that it would be a fit case for exercise of powers under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated in the light of impugned FIR.

Consequently, both the petitions are allowed. FIR No.322 dated 27.06.2015, under Sections 406 and 420 of the Indian Penal Code, registered at Police Station Civil Lines, Rohtak and all proceedings emanating therefrom qua the present petitioner(s) are quashed.

Petitions disposed of.

28.05.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**