

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-3809-2016 (O&M).

Decided on: February 4, 2016.

Lakhmir Singh and another

.. Petitioner(s)

VERSUS

State of Haryana and others

. Respondent(s)

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CORAM: HON'BLE MR.JUSTICE M.M.S.BEDI

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PRESENT Mr.Tejinder Pal Singh, Advocate,
for the petitioners.

M.M.S. BEDI, J. (ORAL)

Petitioners seek quashing of FIR on the ground that amount of Rs.23.50 lacs stands returned to the complainant and that at the time of consideration of application for pre-arrest bail the complainant had intervened and made a statement through the counsel that in case the amount is paid, the complainant would even agree for compounding of the offence without prejudice to his legal rights. On the basis of the said statement, counsel for the petitioner has sought quashing of the FIR claiming that the complainant has retraced from his statement to compound the offence.

I have considered the contentions of the counsel for the petitioner. The report under Section 173 (2) Cr.P.C. has already been presented. The petitioner having discharged his liability and complainant having made a statement in the Court agreeing to compound the offence on receipt of money paid, may be a circumstance to impeach the credibility of the complainant entitling the petitioner for benefit of doubt considering the circumstances in context to the judgment in State of Haryana and anr. Vs. Ch. Bhajan Lal and others, AIR 1992 SC 551. However, I do not find any reason to quash the proceedings, at this stage.

This petition is dismissed at this stage, with liberty to the petitioner to avail the benefit of the statement made by the complainant at appropriate time. The trial Court is directed to expeditiously conclude the trial preferably within a period of one year by giving short dates of hearing

(M.M.S. BEDI)
JUDGE

February 4, 2016.
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