

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-6374 of 2016

.....

Date of decision:29.3.2016

Ankur Gupta

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Satbir Gill, Advocate for the petitioner.

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

Mr. A.K. Sama, Advocate for the complainant-respondent No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of criminal complaint No.414 of 2010/2011 filed under Sections 420, 218, 506 and 120-B IPC, titled as “Ved Parkash Vs. Krishan and others”, pending in the Court of learned Additional Chief Judicial Magistrate, Sirsa and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.3) qua the petitioner.

The criminal complaint has been filed by the complainant-Ved Parkash on the allegations that the accused-petitioner along with his accomplices by hatching conspiracy has cheated him. Now with the

intervention of respectable persons, the matter has been amicably settled and compromise has been entered into between the parties, therefore, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Additional Chief Judicial Magistrate, Sirsa has sent his report dated 2.3.2016 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Deputy Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the criminal complaint in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioner as well as learned Deputy Advocate General, Haryana and learned counsel for complainant-respondent No.2 and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been

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amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and criminal complaint No.414 of 2010/2011 filed under Sections 420, 218, 506 and 120-B IPC, titled as “Ved Parkash Vs. Krishan and and others”, pending in the court of learned Additional Chief Judicial Magistrate, Sirsa and all subsequent proceedings arising out of the same are hereby quashed qua the petitioner.

March 29, 2016.

(Inderjit Singh)
Judge

hsp