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

CRM-28305-2017 and

CRM-M-15029-2017 (O&M)

Date of Decision: September 11, 2017

Kanchan Maria Sharma and others

.....Petitioner(s)

Versus

State of Haryana and another

....Respondent(s)

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Mr. K.S. Dadwal, Advocate
for the petitioner(s).

Mr. Naveen Sheoran, D.A.G., Haryana.

Mr. Gaurav Sethi, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN, J. (ORAL)

CRM-28305-2017

This is an application for placing on record an affidavit of respondent No.2 as Annexure P-9.

The application is allowed and Annexure P-9 is taken on record.

CRM-M-15029-2017

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.124 dated 16.04.2017 registered under Sections 406, 420, 467, 468, 471 and 120-B of Indian Penal Code at Police Station Ambala Cantt., District Ambala.

As per allegation in the FIR, vide agreement to sell dated 14.11.2013 which was executed between respondent No.2 and petitioners No.1 to 4, an amount of ₹ 20.00 lacs was paid by respondent No.2 as

earnest money. Petitioner No.5 was the witness to the agreement to sell.

Learned counsel for the petitioners submits that he has made a request on 26.05.2017 that he is ready to settle the dispute with respondent No.2-complainant and in lieu of ₹ 20.00 lacs which he has received as earnest money and he is ready to make payment of ₹ 30.00 lacs to respondent No.2-complainant. He further submits that he has already submitted a demand draft of ₹ 30.00 lacs to respondent No.2-complainant and the same has already been encashed by him. The affidavit of respondent No.2 has been placed on record as Annexure P-9.

This fact is not disputed by learned counsel appearing on behalf of respondent No.2/complainant and he has submitted that in view of the affidavit filed by respondent No.2/complainant, he has no objection, if the FIR is quashed.

In view of the fact that the dispute is purely regarding the agreement to sell which has been mutually settled between the parties and they have decided to live in peace and not to initiate any further proceedings or litigation, no useful purpose would be served in allowing the proceedings to continue.

Accordingly, FIR No.124 dated 16.04.2017 registered under Sections 406, 420, 467, 468, 471 and 120-B of Indian Penal Code at Police Station Ambala Cantt., District Ambala and all the consequential proceedings, arising therefrom, are ordered to be quashed *qua* the petitioners.

September 11, 2017

ps-I

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No