

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-23819-2016
Decided on: 16.08.2017

Sanjay Khurana and others

.... Petitioners

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Alok Mittal, Advocate,
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

None for respondent No.2.

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.383 dated 27.05.2014 under Sections 419/420/467/468/471 and 120-B IPC, registered at Police Station Gurgaon Sadar, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/Affidavit dated 27.05.2016 (Annexure P-2).

This Court vide order dated 25.05.2017 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Gurugram and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 17.07.2017 to the effect that the compromise effected between the parties is genuine, voluntary, without any

coercion or undue influence.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Arun Sagar Bhatia, but no prejudice would be caused to him as he has already made a statement with regard to compromise before learned Magistrate on 12.07.2017. The same is reproduced as under:-

“Stated that FIR No.383 dated 27.05.2014 under Sections 419,420,467,468,471,120-B IPC, P.S. Sadar, Gurgaon was registered against the present accused. The parties have resolved their disputes amicably and have compromised the matter. The complainant has no objection if the said FIR is quashed. The present statement is being made voluntarily without any pressure.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.383 dated 27.05.2014 under Sections 419/420/467/468/471 and 120-B IPC, registered at Police Station Gurgaon Sadar, District Gurugram (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise/affidavit dated 27.05.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

16.08.2017

Dinesh

Whether speaking/reasoned : Yes / No

Whether Reportable : Yes / No