

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-25684 of 2017

.....

Date of decision:18.12.2017

Sumita Singh and another

.....Petitioners

v.

State of Haryana and others

.....Respondents

....

(2) Criminal Misc. No.M-25644 of 2017

.....

Jagdeep Singh

.....Petitioner

v.

State of Haryana and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. V.K. Sachdeva, Advocate for the petitioners.

Mr. B.S. Virk, Deputy Advocate General, Haryana
for the respondent-State.

Mr. G.S. Gopera, Advocate for complainant-respondents.

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Inderjit Singh, J.

This order will dispose of the above mentioned two criminal miscellaneous petitions i.e. Criminal Misc. No.M-25684 of 2017 filed under Section 482 Cr.P.C. for quashing of FIR No.594 dated 25.7.2016 registered for the offences under Sections 420, 467, 468 and 471 IPC at Police Station Civil Lines, Karnal and Criminal Misc. No.M-25644 of 2017 filed for quashing of FIR No.94 dated 1.2.2011 registered for the offences

under Sections 323, 380, 454, 34 and 120-B at Police Station City Karnal, District Karnal and all other subsequent proceedings arising therefrom on the basis of compromise memorandum of settlement.

The FIRs were got registered by Ujwal Zombade against the petitioners on the allegations that the accused-petitioners by hatching conspiracy have cheated him and also inflicted injuries. Now with the intervention of respectable persons, both the parties have arrived at an amicable settlement and have effected a compromise.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Chief Judicial Magistrate, Karnal has sent two reports dated 13.12.2017 in both the cases submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned Senior Deputy Advocate General, Haryana, on instructions from the Investigating Officer and learned counsel for complainant 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 FIRs in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties as well as learned State counsel 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 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, these petitions are allowed. FIR No.594 dated 25.7.2016 registered for the offences under Sections 420, 467, 468 and 471 IPC at Police Station Civil Lines, Karnal and FIR No.94 dated 1.2.2011 registered for the offences under Sections 323, 380, 454, 34 and 120-B at Police Station City Karnal, District Karnal and all other subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

December 18, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No