

In the High Court of Punjab and Haryana at Chandigarh

.....

Criminal Misc. No.M-28108 of 2017

.....

Date of decision:10.10.2017

Vaakil and others

.....Petitioners

v.

State of Haryana and another

.....Respondents

....

**Coram: Hon'ble Mr. Justice Inderjit Singh**

.....

Present: Mr. Nitin Rathee, Advocate for the petitioners.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana  
for the respondent-State.

Ms. Ruhani Chadha, Advocate for the complainant-respondent  
No.2.

.....

**Inderjit Singh, J.**

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0417 dated 22.9.2016 (Annexure-P.1) registered for the offences under Sections 406 and 420 IPC at Police Station Ganaur, District Sonapat and all subsequent proceedings arising therefrom in view of the compromise (Annexure-P.6).

The FIR has been registered on the statement of complainant-Sanjay Gupta on the allegations that the accused-petitioners have 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 Sub Divisional Judicial Magistrate, Ambala has sent report dated 19.9.2017 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Reply by way of affidavit of Mr. Aryan Chaudhary, HPS, DSP, Ganaur, has been filed on behalf of respondent No.1-State, which has been taken on record. In view of the reply the respondent No.1-State has contested this petition.

However, learned counsel for the complainant-respondent No.2 admits the factum of compromise and submits that as the parties have indeed settled their dispute, the complainant-respondent No.2 has no objection to the quashing of the FIR 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, this petition is allowed and FIR No.0417 dated 22.9.2016 (Annexure-P.1) registered for the offences under Sections 406 and 420 IPC at Police Station Ganaur, District Sonapat and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

October 10, 2017.

**(Inderjit Singh)**  
**Judge**

\*hsp\*

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| <b>NOTE:</b> | Whether speaking/reasoned: | Yes |
|              | Whether reportable:        | No  |