

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-29037-2016 (O&M)

Date of Decision:- 27.04.2017

Surinder Kumar Kalra @ S.K. Kalra and another

....Petitioners

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashok Tyagi, Advocate, for the petitioners.

Ms. Mahima Yashpal, AAG, Haryana.

Mr. Sumeet Goel, Advocate, for respondent No.2.

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.383 dated 23.06.2016, under Sections 323, 406, 498-A and 506 read with Section 34 IPC, registered at Police Station Faridabad Central, Faridabad.

On 17.12.2016, the following order was passed by this Court: -

“Learned counsel for the petitioner has informed that pursuant to order dated 24.10.2016, the petitioner has deposited a sum of ₹13 lacs on 10.11.2016 as per MOU dated 07.10.2015 and respondent No.2 has withdrawn the complaint under Domestic Violence Act as well.

Adjourned to 27.02.2017.

Interim order to continue.

In the meantime, parties are directed to get their statements recorded before the Illaqa Magistrate/trial Court and the Illaqa Magistrate/trial Court is directed to send the report with regard to the validity or otherwise of the compromise, after recording the statements of all the concerned parties before the next date of hearing.”

In compliance of order dated 17.12.2016 of this Court, the report of Chief Judicial Magistrate, Faridabad, dated 07.02.2017 has been received. As per the report, the statements of the petitioners and complainant have been recorded.

As per the terms of compromise, petitioners-accused have deposited a sum of Rs.28 lakhs before the Registry of this Court.

Learned counsel for the complainant submits that other formalities with regard to the transfer of property have been duly signed by both the parties and the conditions of the compromise have been complied with now. It has been further agreed between the parties that in future if the builder requires any assistance, then both the parties will associate with each other.

Consequently, in view of the above-said facts, no useful purpose would be served in prolonging the litigation and accordingly FIR No.383 dated 23.06.2016, under Sections 323, 406, 498-A and 506 read with Section 34 IPC, registered at Police Station Faridabad Central, Faridabad and all the consequential proceedings arising therefrom are hereby quashed, on the basis of compromise arrived between the parties.

₹28 lakhs deposited by the petitioners before the Registry of this Court be released to complainant-respondent No.2 forthwith.

The present petition stands disposed of.

April 27, 2017
naresh.k

(RITU BAHRI)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No