

CRM No. M-31016 of 2016(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-31016 of 2016(O&M)
Date of Decision : 03.10.2017

Devender Yadav @ Kalu and another

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Manish Soni, Advocate for the petitioners.

Mr. Tanuj Sharma, Assistant Advocate General,
Haryana.

Mr. Suresh Kumar Kaushik, Advocate
for respondents No. 2 to 5.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No. 136 dated 15.04.2016, under Sections 392, 394 IPC, registered at Police Station Sushant Lok, Gurgaon, District Gurgaon and all subsequent proceedings arising therefrom, on the basis of compromise dated 27.07.2016 (Annexure P-2), arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a misunderstanding between the parties, which has now been resolved and the matter has been compromised. Learned counsel states that the FIR under Section 394 IPC can be quashed on the basis of compromise. In support of his submission, he has placed reliance upon a judgment of the

Supreme Court in the case of *Shiji @ Pappu and others Vs. Radhika and another*, 2012(1) SCC(Criminal) 101.

A coordinate Bench of this Court vide order dated 15.09.2016 had directed the parties to appear before the Illaqa Magistrate for recording their statements with regard to the genuineness of compromise. The report of the Judicial Magistrate Ist Class, Gurgaon, dated 12.12.2016 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded, which indicates that they have entered into compromise voluntarily and without any pressure or coercion.

The FIR is outcome of a misunderstanding between the parties. The matter has now been compromised and the parties want to live in peace and harmony.

In view of the law laid down in "*Narinder Singh Vs. State of Punjab*" 2014 (6) SCC 466 and *Shiji @ Pappu and others Vs. Radhika and another(supra)*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 136 dated 15.04.2016, under Sections 392, 394 IPC, registered at Police Station Sushant Lok, Gurgaon, District Gurgaon and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

(ANUPINDER SINGH GREWAL)
JUDGE

October 03, 2017
kanchan

<i>Whether speaking/reasoned?</i>	<i>Yes/No</i>
<i>Whether reportable?</i>	<i>Yes/No</i>