

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-30925 of 2017

Date of decision: 31.10.2017

Neeraj Sharma and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vikas Singh, Advocate
for the petitioners.

Mr. Amrik Narwal, DAG, Haryana.

Mr. Rajeev Kawatra, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.27 dated 19.01.2017 (Annexure P-1), registered for offences punishable under Sections 406, 420, 467, 468, 471 read with Section 34 of Indian Penal Code (for short 'IPC') at Police Station Civil Line Sonapat, District Sonapat, along with all consequential proceedings arising therefrom, on the basis of the compromise.

As per case of the prosecution, Mukesh Khatri, complainant-respondent no. 2, was working as computer assistant in Civil Hospital, Sonapat. In the month of July, 2016, he opened an account with HDFC Bank and thereafter received calls on his mobile nos. 9991715199, 9034399269 from mobile no. 9136298372, claiming that the bank is giving loan @ 0% interest under promotional offer of life insurance to selected persons and on the pretext of advancing loan of ₹10 lacs, petitioners duped the complainant of ₹1,87,700/-. On verification, the policy issued to the

complainant was also found to be fake.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise by way of affidavit of complainant, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2-complainant has submitted that in view of the compromise/affidavit (Annexure P-2), respondent no. 2-complainant has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise/affidavit (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 13.10.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any coercion and undue influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 27 dated 19.01.2017 (Annexure P-1), registered at Police Station Civil Line Sonapat along with all consequential

proceedings arising therefrom, qua petitioners, is quashed.

October 31, 2017

jk

**(SURINDER GUPTA)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No