

CRM-M-34358 of 2016**Date of decision:18.01.2017****Jagan Nath @ Ram Sahara & Ors.**

... Petitioners

VS.

State of Haryana & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

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

Mr. Ashish Yadav, Addl. A. G., Haryana.

None for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of FIR No.35, dated 24.01.2015, registered under Sections 406, 420, 467, 468, 471, 472, 506, 34, 120-B IPC, at Police Station Gharaunda, District Karnal(Annexure P-1) is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 26.09.2016, the parties were directed to appear before the Ilaqa Magistrate/trial Court to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court the number of persons involved in the present FIR and if any of them has been declared as proclaimed offender.

As directed, report dated 07.11.2016 from the Judicial Magistrate Ist Class, Karnal, has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them and none of the accused is proclaimed offender.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in **Kulwinder Singh and others versus State of Haryana and others, 2007 (3) RCR (Criminal) 1052**, I deem it just and proper to allow the petition and resultantly quash the FIR No.35, dated 24.01.2015, registered under Sections 406, 420, 467, 468, 471, 472, 506, 34, 120-B IPC, at Police Station Gharaunda, District Karnal, and all proceedings arising therefrom.

(Deepak Sibal)
Judge

January 18, 2017
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>