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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 33789 of 2017
Date of Decision: 26.10.2017

Sunil Badesara

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. S.S. Nain, Advocate,
for the petitioner.

Mr. Tarun Sharma, A.A.G., Haryana,
for respondent No. 1.

Mr. Deepak Kundu, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is an accused in F.I.R. No. 129, dated 26.02.2016, under Section 419 of the Indian Penal Code and Section 66-C of I.T. Act, registered at Police Station Sector-10, Gurgaon, District Gurgaon, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectable and elderly people of the society, the complainant has arrived at a settlement with the accused vide

Affidavit (Annexure P-2), which is duly signed by him. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Judicial Magistrate Ist Class, Gurugram, vide report dated 11.10.2017, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondent No. 2 is represented by his counsel.

[4]. In view of the report of the Judicial Magistrate Ist Class, Gurugram, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/accused person.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 129, dated 26.02.2016, under Section 419 of the Indian Penal Code and Section 66-C of I.T. Act, registered at Police Station Sector-10, Gurgaon, District Gurgaon, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

26.10.2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No

2. Whether reportable : Yes/ No