

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-37445 of 2016 (O&M)

Date of decision: 09.08.2017

Dalwinder Singh and another

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Sandhu, Advocate
for the petitioners.

Mr. Amrik Narwal, DAG, Haryana.

Ms. Pooja Chopra, Advocate
for respondent no. 2-complainant.

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.525 dated 07.09.2015 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 419, 420, 506 read with Section 120-B of Indian Penal Code (for short 'IPC') at Police Station Assandh, District Karnal, on the basis of the compromise dated 27.07.2016 (Annexure P-2).

As per case of the prosecution, petitioners have moved application through an impostor of respondent no. 2, who is father of petitioner no. 1 for change of entry in *khasra girdawari*. However, application was not allowed as complainant objected to the same.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise dated 27.07.2016, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2-complainant has endorsed the submission of learned counsel for the petitioners and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (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 30.05.2017 stating therein that compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any fear or pressure.

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. 525 dated 07.09.2015 (Annexure P-1), registered at Police Station Assandh, District Karnal along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 09, 2017

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No