

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38130-2016
Decided on: 16.08.2017

Hari Singh and others

.... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Gaurav Gupta, Advocate,
for the petitioners.

Mr. Manish Bansal, DAG, Haryana.

Mr. Vikas Sonak, Advocate, for
Mr. Ashish Yadav, Advocate,
for respondent No.2.

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.217 dated 04.05.2015 under Sections 420/467/468/471 IPC, registered at Police Station Model Town, Rewari, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 03.10.2016 (Annexure P-2).

This Court vide order dated 24.10.2016 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Rewari and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 10.01.2017 to the effect that the compromise effected between the parties appears is genuine, voluntary,

Complainant-respondent No.2, M/s. Asian Consolidated Industries Ltd. through its authorized agent Shri Umed Chahal, has made the statement with regard to compromise before learned Additional Chief Judicial Magistrate on 06.01.2017, that the compromise effected between the parties is without any coercion or undue influence and without any pressure.

Learned counsel appearing for respondent No.2-complainant has also fairly conceded the factum of compromise entered into between the parties. He has submitted that the complainant has no objection in case the FIR is quashed.

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.217 dated 04.05.2015 under Sections 420/467/468/471 IPC, registered at Police Station Model Town, Rewari, District Rewari (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 03.10.2016 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

16.08.2017

Dinesh

Whether speaking/reasoned	:	Yes / No
Whether Reportable	:	Yes / No