

241 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 41863 of 2016

Date of Decision: August 01, 2017

Bhushan Chhabra and others

..... Petitioners

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Manoj Pundir, Advocate,
for the petitioners.

Mr. Vikas Malik, D.A.G., Haryana.

Mr. Ankit Joshi, Advocate,
for respondent No. 2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are accused in FIR No. 544, dated September 22, 2016, under Sections 384/120-B of the Indian Penal Code, registered at Police Station Yamuna Nagar City, District Yamuna Nagar, (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings pending in the Court of the Chief Judicial Magistrate, Yamuna Nagar at Jagadhari, on the basis of compromise.

[2]. During pendency of petition, the complainant has arrived at a settlement with the accused vide Compromise 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 Chief

Judicial Magistrate, Yamuna Nagar at Jagadhari, vide report dated December 22, 2016, 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. Reply on behalf of State-respondent No. 1 is filed in the Court; be placed on record. In the reply, knowledge of compromise is denied by the State, which is immaterial because parties have appeared before the learned Court below and made statements voluntarily in regard to compromise.

[4]. In view of the report of the Chief Judicial Magistrate, Yamuna Nagar at Jagadhari, 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 petitioners/ accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No. 544, dated September 22, 2016, under Sections 384/120-B of the Indian Penal Code, registered at Police Station Yamuna Nagar City, District Yamuna Nagar, (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed qua the present petitioners.

August 01, 2017

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No