

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRL. MISC. No.M-42177 OF 2017
DATE OF DECISION : 8TH NOVEMBER, 2017

Rupender & another

.... Petitioners

Versus

State of Haryana & another

.... Respondents

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

* * * *

Present : Mr. Sukhvinder Singh Nara, Advocate for the petitioners.

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A. B. CHAUDHARI, J. (ORAL)

The petitioners have filed the present petition under Section 482 Cr.P.C. seeking quashing of FIR No.466 dated 21.08.2017 registered under Sections 379B, 427 & 506 IPC at Police Station Sadar Bahadurgarh, District Jhajjar, in view of compromise.

Notice of motion.

Ms. Tanushree Gupta, DAG, Haryana waived service on behalf of the State.

Mr. Sanjay Panghal, Advocate waived service on behalf of respondent No.2 and filed his power of attorney, which is taken on record.

Rule.

Heard forthwith with consent of counsel for the rival parties.

Learned counsel for the complainant as well as the petitioners submit that they have entered into compromise and therefore, the FIR may be quashed by way of compounding/compromise.

Upon perusal of the FIR, I find that the petitioners had obviously committed the offence of snatching the car and causing damage to the car as well. This Court had made an order granting anticipatory bail to the petitioner-Rupender on the condition that an amount of ₹2,50,000/- being paid to the complaint. The counsel for the complainant submits that his client has received the amount of ₹2,50,000/-.

In that view of the matter, there is no point in going ahead with the prosecution, particularly when the compromise has been recorded and the prosecution may not result into any conviction due to the compromise that has been arrived.

However, looking to the fact that the entire police machinery has been put to motion by the petitioners, the petitioners cannot be allowed to go scot-free and must pay non-refundable cost in the sum of ₹25,000/- to be deposited with the office of Superintendent of Police, Jhajjar, within a period of four weeks from today.

Accordingly, I make the following order:

ORDER

- (i) Rule is made absolute.
- (ii) CRL. MISC. No.M-42177 OF 2017 is allowed.
- (iii) The FIR No.466 dated 21.08.2017 registered under Sections 379B, 427 & 506 IPC at Police Station Sadar Bahadurgarh,

District Jhajjar, is quashed along with all consequential proceedings, qua the petitioner.

- (iv) This order is subject to deposit of cost amount of ₹25,000/- by the petitioners with the office of Superintendent of Police, Jhajjar, within a period of four weeks from today, failing which the FIR shall stand revived automatically.

8TH NOVEMBER, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>	<i>No</i>
<i>Whether Reportable:</i>	<i>Yes</i>	<i>No</i>