

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

CRM-M-45063-2016 (O&M)

Date of decision: February 27, 2017

Hari Singh @ Hardev and others

.. Petitioners

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Sanchit Punia, Advocate
for the petitioners.

Mr.Tanuj Sharma, AAG, Haryana.

Mr.Namit Khurana, Advocate, for
Mr.Sunny Dhull, Advocate,
for respondent No.2.

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.236 dated 30.7.2016 (Annexure P-1), registered for offences punishable under Sections 120-B, 420, 467, 468, 471 Indian Penal Code (for short 'IPC') at Police Station Adampur, Hisar, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, FIR No.236 dated 14.10.2016 was registered on the statement of complainant Bimla Devi wherein she has alleged that 1/6th share in the land measuring 18 acres was sold by the petitioners by producing some person as her husband who had died on

20.7.2006.

Upon notice, Mr.Tanuj Sharma, Assistant Advocate General, Haryana has put in appearance on behalf of respondent No.1-State and filed reply dated 25.2.2017 on behalf of the State in Court today which is taken on record. Mr.Namit Khurana, Advocate has put in appearance on behalf of respondent No.2-complainant.

I have heard learned counsel for the parties and perused the case file.

To verify genuineness of compromise, parties were directed to appear before the trial court to get their statements recorded and report of trial Court to this effect was called. Vide report dated 1.2.2017, trial court has reported that the compromise has been effected between the complainant and the same appears to be voluntary in nature and without any pressure or influence.

Learned counsel for the respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), the private respondent (complainant) has no objection if the impugned FIR (Annexure P-1) is quashed. Learned State counsel has also not disputed compromise (Annexure P-2).

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

In view of the above discussion, the instant petition is allowed and the impugned FIR No.236 dated 14.10.2016 registered under Sections 120-B, 420, 467, 468, 471 IPC at PS Adampur, District Hisar (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

February 27, 2017

Paritosh Kumar

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No