

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

**CRM No.M-6253 of 2017 (O&M)
Date of decision:08.05.2017**

Mangat Ram & another

... Petitioners

Versus

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. I.S. Pabla, Advocate for the petitioners.

Mr. Deepak K. Grewal, DAG, Haryana.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.119, dated 16.12.2012, under Sections 406/420/467/468/471/120-B IPC, registered at Police Station Dandh, District Kaithal.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 23.02.2017 had directed the parties to appear before the trial Court for recording of their statements in support of the compromise. Report with regard to veracity and genuineness of the compromise was also called for.

Placed on record is a report dated 09.03.2017 of the learned Judicial Magistrate 1st Class, Kaithal and a perusal thereof would reveal that statements of the complainant party, namely, Raghubir Singh and Randir Singh (respondents No.2 and 3 herein) as also of the accused

party, namely, Mangat Ram, Dilbag and Suresh Kumar (petitioners herein) have been duly recorded and it has been opined that a compromise has been arrived at with the intervention of the respectables and the same is without any fear, pressure and coercion.

Counsel for the petitioners would submit that the dispute between the parties was essentially civil in nature with regard to purchase of a plot. Further submitted that in the light of the compromise, the entire disputed amount has been returned to the complainant party.

Office report would reflect that service is complete. However, no representation has been caused on behalf of the complainant party/respondents No.2 and 3.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in ***Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052.***

Adverting back to the facts of the present case, since the dispute which was essentially civil in nature has been amicably settled between the parties, it would be a fit case for this Court to exercise powers under Section 482 Cr.P.C. and to bring to an end the prosecution initiated in the light of the impugned FIR.

For the reasons recorded above, the present petition is allowed. FIR No.119, dated 16.12.2012, under Sections 406/420/467/

468/471/120-B IPC, registered at Police Station Dandh, District Kaithal and all proceedings emanating therefrom qua the present petitioners stand quashed.

Petition allowed in the aforesaid terms.

08.05.2017

harjeet

(TEJINDER SINGH DHINDSA)

JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |