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

CRM-M-10062-2017

Date of Decision: 16.04.2018

Darshan Kumar

..... Petitioner

Versus

Rakesh Kumar

..... Respondent

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Rajesh Bansal, Advocate for the petitioner.

Mr. Digvijay Nagpal, Advocate for respondent No.2.

SUDIP AHLUWALIA J. (ORAL)

The present petition has been filed for quashing of Complaint No.176 dated 11.06.2007 titled as “Rakesh Kumar v. Darshan Kumar and another” under Sections 419, 420, 467, 468, 471, 406 & 120-B of Indian Penal Code (in short “IPC”) along with all proceedings emanating therefrom including the judgment of conviction and order dated 27.01.2014 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Budhlada, on the basis of compromise dated 07.12.2015 (Annexure P-7).

Petitioner has challenged the judgment of conviction in appeal. During the pendency of appeal, parties have arrived at settlement, as per compromise, Annexure P-7.

Vide order dated 19.09.2017, parties were referred to the learned trial Court for recording of their statements so as to ascertain veracity of compromise. Pursuant to order dated 19.09.2017, report dated 26.10.2017 has been received from the learned Additional Civil Judge (Senior Division) Budhlada, according to which, as per the statements of

the parties, the compromise is genuine and has been arrived at between them without any pressure or coercion.

Respondent is represented by counsel who does not oppose compromise.

In view of the above, the petition is allowed and Complaint No.176 dated 11.06.2007 titled as “Rakesh Kumar v. Darshan Kumar and another” under Sections 419, 420, 467, 468, 471, 406 & 120-B of Indian Penal Code along with all proceedings emanating therefrom including the judgment of conviction and order dated 27.01.2014 (Annexure P-3) passed by learned Sub Divisional Judicial Magistrate, Budhlada, is quashed qua the petitioner.

16.04.2018

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**(SUDIP AHLUWALIA)
JUDGE**

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