

**247+259 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

1. **CRM-M No.1205 of 2017 (O&M)**
Date of decision : September 24, 2018

M/s Sunil Hitech Engineers Limited **Petitioner**

Versus

State of Haryana and others **Respondents**

2. **CRM-M No.17621 of 2018 (O&M)**
Date of decision : September 24, 2018

M/s Sunil Hitech Engineers Ltd. **Petitioner**

Versus

State of Haryana and another **Respondents**

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Gurmohan Singh Bedi, Advocate for the petitioner

Mr. Munish Sharma, Asstt. A.G., Haryana.

Mr. P.S. Ahluwalia, Advocate for the complainant.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

This order of mine shall dispose of two petitions bearing CRM-M Nos.1205 of 2017 and CRM-M No.17621 of 2018, for quashing the FIR No.328, dated 13.10.2016, under Sections 294, 406 and 420 IPC, registered at Police Station Barwala, District Hissar, along with consequential proceeding arising therefrom.

The allegations levelled in the FIR are that the complainant is a contractor and has done some work for the petitioner-accused-company. For which, the complainant was not paid money. When he demanded for the same, the official of the company misbehaved.

The report of the learned Judicial Magistrate 1st Class, Hisar has been received, in which it is reported that the statements of the parties have been recorded in which they stated that they have compromised the matter and the money has been paid and the dispute which was basically a dispute regarding the payment has been amicably settled. Both the parties have no objection, if the FIR in question is quashed.

However, learned counsel for the complainant states that the machinery (Enoor) is lying on the spot and that the petitioner may be directed to return the same.

Learned counsel for the petitioner states that the machinery is at Chennai and they undertake to return the same to respondent-complainant.

The respondent-complainant is at liberty to collect the machinery and the petitioner shall assist him in delivery of the machinery.

In view of the fact that the matter has been amicably settled between the parties, FIR No.328, dated 13.10.2016, under Sections 294, 406 and 420 IPC, registered at Police Station Barwala, District Hissar, along with consequential proceeding arising therefrom stand quashed.

Both the petitions stand allowed.

(KULDIP SINGH)
JUDGE

September 24, 2018

sarita

Whether speaking / reasoned Yes

Whether Reportable: No