

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

**Crl. Misc. No. M-12464 of 2017 (O&M)
Date of decision: September 20, 2018**

Rohtash Jokhi Ram

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Bhavna Grewal, Advocate
for the petitioner.

Mr. Deepak Grewal, D.A.G., Haryana.

Mr. S.K.Yadav, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 27 dated 30.01.2014 (Annexure P-1), registered for offence punishable under Section 420 of Indian Penal Code (for short 'IPC') at Police Station Nangal Chaudhari, District Mahendergarh along with all consequential proceedings arising therefrom, on the basis of the compromise/receipt (Annexure P-2).

As per case of the prosecution, petitioner entered into an agreement to sell of land with the complainant by representing him that the land is free from all encumbrances but later on it was disclosed that

litigation regarding the land was pending. When the petitioner was confronted this fact, he admitted the concealment of this material fact in order to dispose of the land.

Learned counsel for the petitioner submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2-complainant endorses the submission of learned counsel for the petitioner and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed the compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 20.08.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

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 large.

For the reasons as discussed above, the instant petition is

Nangal Chaudhari, District Mahendergarh (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

September 20, 2018
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No