

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13476-2018

Date of decision: 30.07.2018

Subhash Chand

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rakesh Sobti, Advocate for the petitioner.

Mr. AS Yadav, AAG, Haryana.

Mr. MM Pandey, Advocate for respondent No. 2.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No. 187 dated 02.07.2016 (Annexure P-1) registered under Sections 406 and 420 IPC at Police Station Sector 17-18, Gurgaon and all subsequent proceedings arising therefrom, on the basis of compromise dated 28.11.2017 (Annexure P-2) effected between the parties.

2. Vide orders dated 02.04.2018, parties were directed to appear before the trial Court, concerned on 07.04.2018, to get their statements recorded for compromise with a direction to the trial Court, to furnish a report qua veracity of the compromise.

3. Consequently, parties appeared before the Judicial Magistrate Ist Class, Gurugram and got recorded their statements qua compromise on 07.05.2018. Report from the Judicial Magistrate Ist Class, Gurugram, vide letter No. 157 dated 18.04.2018, duly forwarded by learned District and

Sessions Judge, Gurugram, vide letter No. 851/C.29 dated 19.04.2018, has

been received. According to the report of the learned Judicial Magistrate Ist Class, Gurugram, the matter has been voluntarily compromised by the parties and the compromise is without any pressure or coercion from any corner and is genuine and valid.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring harmony in relations between the parties, this petition is allowed and the aforesaid FIR No. 187 dated 02.07.2016 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner is quashed, subject to payment of costs of ₹10,000/-, out of which ₹6,000/- shall be deposited with the Haryana State Legal Services Authority and ₹4,000/- with the Bar Council of Punjab and Haryana, within two weeks from today, failing which this petition shall be deemed to be dismissed.

5. List on 23.08.2018, for production of receipts regarding deposit of costs.

July 30, 2018

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**(RAMENDRA JAIN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No