

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

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CRM No.M-13317 of 2014
Date of decision:18.1.2018

Rajesh Kumar and others

... Petitioners

versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sanjay Vashisth, Advocate,
for the petitioners
Mr.Karan Sharma, AAG, Haryana,
for respondent no.1.
Mr.Yashdev Kaushik, Advocate,
for respondent no.2.
...

AMOL RATTAN SINGH, J. (Oral)

As already recorded in the order dated 12.1.2018, the matter is stated to have been settled between the petitioners, i.e. the accused, and respondent no.2, i.e. the complainant in the FIR, Annexure P-5, dated 11.1.2013, registered at Police Station Bhupani, District Faridabad. It was alleged therein that the petitioners had committed offences punishable under Sections 406/420/467/471/506/34 IPC.

The settlement agreement reached between the parties before the learned Mediator of the Mediation and Conciliation Centre of this Court, on 27.1.2016 is on record, with learned counsel appearing for respondent no.2 not denying the agreement.

On query, Mr.Vashisth, learned counsel for the petitioners submits that, as a matter of fact, the matter has remained pending for the last

2 years even after a settlement was reached, because of the fact that the matter was tagged along with the other two petitions listed at the same number today.

The matter being one in which the complainant had alleged that he was not given a flat by the company of the first two petitioners, i.e. by petitioner no.3, M/s Pal Infrastructure and Developers Private Limited, Gurgaon, and the settlement agreement stating that the complainant has been compensated monetarily, and counsel for respondent no.2 not denying the same, in the opinion of this Court, it would be pointless to continue with criminal proceedings.

Consequently, in view of the above and keeping in view the ratio of law laid down by the Supreme Court in Gian Singh vs. State of Punjab and another, (2012) 10 SCC 303, the petition is allowed and FIR No.11 dated 11.1.2013, registered against the petitioners, at Police Station Bhupani, District Faridabad, alleging therein the commission of offences punishable under Sections 406/420/467/471/506/34 IPC, along with all proceedings emanating therefrom, is hereby quashed.

18.1.2018
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No