

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-26924-2018 (O&M)
Date of Decision:-03.10.2018.

Neeraj Kumar

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Vijay Lath, Advocate and
Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Ashish Sanghi, AAG, Haryana.

Mr. Surinder Sharma, Advocate for respondent Nos.2 to 4.

P.B. BAJANTHRI, J. (Oral)

Petitioners are seeking quashing of FIR No.198 dated 28.04.2018 under Section 406/420 IPC, registered at Police Station, Baldev Nagar, Ambala City, Tehsil and District Ambala (Annexure P-1) and all other consequential proceedings arising therefrom on the basis of compromise dated 07.06.2018 (Annexure P-2) arrived at between the parties.

2.) Learned counsel for the petitioner submitted that FIR is a result of some misunderstanding with regard to money transaction among parties. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise which has been recorded before the Trial Court.

3.) This Court vide order dated 02.07.2018 had directed the parties

to appear before the Trial Court/Illaqa Magistrate on 30.07.2018 for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Ambala has sent her report dated 04.08.2018 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

4.) In view of the law laid down by Hon'ble the Supreme Court in the case of **"Anita Maria Dias and another Vs. State of Maharashtra and another"** reported in **(2018) 3 SCC 290**, no useful purpose will be served by continuing the criminal proceedings. Therefore, petition is allowed and FIR No.198 dated 28.04.2018 under Section 406/420 IPC, registered at Police Station, Baldev Nagar, Ambala City, Tehsil and District Ambala (Annexure P-1) and all other consequential proceedings arising therefrom are hereby quashed on the basis of compromise dated 07.06.2018 (Annexure P-2), subject to payment of litigation cost to the State of Punjab a sum of ₹ 5,000/- by the petitioner. Cost be remitted in the District Treasury, Ambala, State of Haryana within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

October 03, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.