

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-27982 of 2017

Date of decision: 04.09.2018

Pardeep Kumar and others

.. Petitioners

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Kuldeep Singh, Advocate
for the petitioners.

Mr. Deepak Grewal, DAG, Haryana.

Mr. R.S. Bajiyan, Advocate
for respondent no. 2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.191 dated 11.06.2017 (Annexure P-1), registered for offences punishable under Sections 120-B/419/420/467/468/471/34 of Indian Penal Code (for short 'IPC') at Police Station Naraingarh, District Ambala, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, petitioners have forged signatures of complainant-respondent no. 2 on affidavit dated 10.02.2012 to get the tube-well connection released in the name of petitioner no. 1-Pardeep Kumar. This fact came to the notice of complainant-respondent no. 2 at later stage, when he sought share in the water of tube-well and was denied the same.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as

Learned counsel for respondent No.2-complainant has submitted that in view of the compromise (Annexure P-2), respondent no. 2-complainant has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed 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 10.04.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or undue 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 allowed and the impugned FIR no. 191 dated 11.06.2017 (Annexure P-1), registered at Police Station Naraingarh, District Ambala along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

September 04, 2018
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No