

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

255

CRM-M-3169-2018 (O&M)
Date of decision: 17.09.2018

Latesh Jain

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAMENDRA JAIN

PRESENT: Mr. Rajesh Lamba, Advocate for the petitioner.

Mr. Vikramjit Singh, AAG, Haryana.

RAMENDRA JAIN, J. (ORAL)

1. Through this petition under Section 482 Cr.P.C., prayer has been made for quashing FIR No.436 dated 30.05.2017 (Annexure P-1) registered under Sections 420 and 406 IPC at Police Station Saran, District Faridabad and all subsequent proceedings arising therefrom, on the basis of compromise dated 31.10.2017 (Annexure P-2), effected between the parties.
2. Vide order dated 24.01.2018, the parties were directed to appear before the trial Court/Illaq Magistrate upto 5.3.2018 to get their statements recorded for compromise with a direction to the trial Court/Illaq Magistrate, to furnish a report qua veracity of the compromise.
3. Consequently, parties appeared before the Judicial Magistrate, First Class, Faridabad and got recorded their statements qua compromise on 27.02.2018. Report from the Judicial Magistrate, First Class, Faridabad vide letter No.288 dated 14.03.2018, duly forwarded by the District and Sessions Judge, Faridabad, vide letter No.4560 dated 14.03.2018 has been received. According to the report of the Judicial Magistrate, First Class,

Faridabad, compromise arrived at between the parties voluntarily, without any coercion or undue influence, is genuine one and outcome of freewill of the parties.

4. In view of the totality of the facts and circumstances and considering the fact that the compromise will bring peace and harmony in relations between the parties, this petition is allowed and the aforesaid, FIR No.436 dated 30.05.2017 (Annexure P-1) and all subsequent proceedings arising therefrom, qua the petitioner are quashed, subject to payment of costs of ₹10,000/-, out of which ₹8,000/- shall be deposited with the following account:-

Account details:- Chief Minister's Distress Relief Fund.
Account Number :- 67319948232
Bank:- State Bank of India.
Branch:- City Branch, Thiruvananthapuram
IFSC:- SBIN0070028
PAN:- AAAGD0584M
Account Type:- Savings
SWIFT Code: SBININBBT08

and ₹2,000/- 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 08.10.2018, for production of receipts regarding deposit of costs.

September 17, 2018
Poonam (II)

(RAMENDRA JAIN)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No