

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CRM-M-3259-2018
Date of decision:26.2.2018**

Karambir

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Tejpal Singh Dhull, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana
for respondent No.1.

Mr. Vijay, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.746 dated 16.11.2017, under Sections 406 and 420 Indian Penal Code ('IPC' - for short) registered at Police Station Sonipat City, District Sonipat, on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 25.1.2018 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded and in pursuance thereof, learned Chief

Judicial Magistrate, Sonapat, recorded the statements of both the parties and submitted a report dated 17.2.2018. A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case. Learned State counsel on instructions from ASI Suresh Kumar has submitted that investigation in this case has not been completed so far and till today report under Section 173 Criminal Procedure Code ('Cr.P.C.' - for short) has not been submitted in the Court.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed qua petitioner(s).

6. Petition is allowed.

**(MAHABIR SINGH SINDHU)
JUDGE**

26.2.2018
Gaurav Sorot

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| 1. | Whether reportable? | Yes |
| 2. | Whether reasoned / speaking? | Yes |