

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

CRM-M No.33417 of 2018

Date of Decision: 15.12.2018

Arun Kumar Gupta and another

....Petitioners

Versus

State of Haryana and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Alok Mittal, Advocate
for the petitioners.

Mr. Chetan Sharma, A.A.G., Haryana.

Mr. Pardeep Sehrawat, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

Petitioners, namely, Arun Kumar Gupta and Anil Kumar Gupta have filed the present petition under Section 482 Cr.P.C for quashing of FIR No.34 dated 06.02.2017 registered under Sections 201/406/420/467/468/471/506/120-B IPC at Police Station Nissing, Karnal and all the consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners submits that the petitioners were released on anticipatory bail vide order dated 09.08.2018 and thereafter, with the intervention of common friends and well wishers, the petitioners and complainant have entered into compromise and have settled their differences. Learned counsel also submits that as per compromise arrived at between the parties, the amount settled between them has been returned to the complainant and the same has been affirmed by the

complainant himself.

After mutual settlement between the parties, the present petition has been filed for quashing of FIR, in question, on the basis of compromise.

Learned counsel for the petitioners submits that vide order dated 06.08.2018, the parties were directed to appear before the Illaqa Magistrate for recording of their statements with regard to compromise. Thereafter, their statements were recorded and a report has also been sent by the Civil Judge (Junior Division)-cum-Judicial Magistrate Ist Class, Karnal, which is on record.

Learned counsel for the complainant has also affirmed the factum of compromise and receipt of the amount.

Heard the arguments of learned counsel for the parties and have also gone through the statements of the parties recorded by the Illaqa Magistrate in pursuance of order dated 06.08.2018, wherein, it has been stated that both the parties have sorted out their dispute and they have no grouse against each other. The complainant has specifically stated in his statement that the compromise has been arrived at with the petitioners and he is not interested in pursuing the proceedings against the accused persons. It has also been admitted by learned counsel for the complainant that the amount settled in the compromise has been received.

The dispute between the parties has been sorted out and there was no pressure or undue influence upon the parties. The complainant while getting his statement recorded before the Illaqa Magistrate has specifically stated that he has no objection in quashing of FIR and other proceedings because of compromise arrived at between him and the accused persons.

Accordingly, by considering the submissions made by learned

counsel for the parties as well as statements of the parties with regard to compromise; the fact that the compromise is based on settlement arrived at between them without any pressure or coercion and the complainant has no objection, in case, the FIR and other proceedings are quashed, the present petition is allowed and FIR No.34 dated 06.02.2017 registered under Sections 201/406/420/467/468/471/506/120-B IPC at Police Station Nissing, Karnal along with all the consequential proceedings arising therefrom are hereby quashed qua petitioners, namely, Arun Kumar Gupta and Anil Kumar Gupta.

(DAYA CHAUDHARY)
JUDGE

15.12.2018

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Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No