

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

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CRM-M No.32557 of 2017

Date of Decision: January 24th, 2018

Rahul Verma

.....Petitioner

Versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. G.S. Sandhu, Advocate
for the petitioner.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana.

Mr. Keshav Pratap Singh, Advocate
for respondent No.2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

The present petition has been filed by the petitioner, who is accused in FIR No.04 dated 12.01.2017 (Annexure P-1) under Sections 406/420 IPC, registered at Police Station Saha, District Ambala, for quashing the said FIR and all consequential proceedings arising out of the same on the basis of compromise dated 22.08.2017 (Annexure P-2).

On 15.11.2017, when this case came up for hearing, following order was passed:-

“This is a petition for quashing of the FIR on the basis of compromise.

Mr. Keshav Pratap Singh, Advocate accepts notice on behalf of complainant and filed power of attorney.

The parties are directed to appear before the Illaqa Magistrate/Trial Court and the Illaqa Magistrate/Trial Court shall record the statement of all the affected parties and shall send a report to this Court whether the compromise has been arrived at between the parties or not and whether it is voluntary.

Report of the Illaqa Magistrate/Trial Court is awaited for 24.01.2018.”

In compliance with the said order, parties had appeared before the Judicial Magistrate Ist Class, Ambala, where statements have been recorded. On the basis of the statements, which have been recorded and forwarded to this Court along with the report of the Judicial Magistrate Ist Class, Ambala, it appears that the compromise has been effected between the parties without any pressure or coercion.

The Judicial Magistrate Ist Class, Ambala, has also opined that the compromise, which has been effected between the accused and the complainant, is voluntary and genuine. None of the parties to the petition is a proclaimed offender.

Keeping in view the fact that a genuine compromise has been entered into between the parties and the parties have resolved their disputes amicably and the dispute primarily being financial in nature, the present petition deserves to be allowed in the light of Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another, 2007 (3) RCR (Criminal) 1052*** as also the judgment of Supreme Court in ***Narinder Singh and others Versus State of Punjab 2014 (2) RCR (Criminal) 482***.

Ordered accordingly.

FIR No.04 dated 12.01.2017 (Annexure P-1) under Sections 406/420 IPC, registered at Police Station Saha, District Ambala, and all consequential proceedings arising therefrom, are hereby quashed.

January 24th, 2018
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No