

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

CRM-M-36260-2018 (O&M)

Date of Decision:-13.11.2018

Jagmohan Chauhan

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Abhimanyu Singh, Advocate for the petitioner.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

GURVINDER SINGH GILL, J.(Oral)

Mr. Himanshu Arora, Advocate has put in appearance on behalf of respondent No.2/complainant and has filed Valkalatnama, which is taken on record.

Reply by way of affidavit of Dr. Hitesh Yadav, HPS, Assistant Commissioner of Police, Udyog, Gurugram has been filed by learned State counsel today in Court, which is taken on record.

By way of filing this petition, the petitioner seeks quashing of FIR No.570 dated 15.10.2017 registered under Sections 406 and 420 of Indian Penal Code, 1860 at Police Station Sector-5, Gurugram, District Gurugram and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 23.8.2018, the parties had been directed to appear before the Illaqa Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Gurugram has been received, wherein it has been reported that the statements of petitioner/accused Jagmohan Singh as well as of complainant Karan Singh have been recorded to the effect that they have compromised the matter amongst themselves and that they have no objection in case the FIR in question is quashed. It has specifically been opined by learned Judicial Magistrate 1st Class, Gurugram that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.570 dated 15.10.2017 registered under Sections 406 and 420 of Indian Penal Code, 1860 at Police Station Sector-5, Gurugram, District Gurugram and all the consequent proceedings arising therefrom are hereby quashed qua the petitioner.

13.11.2018

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking Yes / No

Whether reportable Yes / No