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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No.39450 of 2017 (O&M)
Date of Decision: 06.02.2018

Samir Jain

..... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Hemant Saini, Advocate,
for the petitioner.

Mr. Manish Bansal, D.A.G., Haryana,
for the respondent No.1.

Mr. Sajjan Singh, Advocate,
for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

CRM No.2792 of 2018:

Ld. Counsel for the applicant-petitioner is permitted to place
on record the document (Annexure P-4).

Application stands disposed off.

CRM No.2793 of 2018:

For the reasons mentioned in the application, the same is
allowed and the date of hearing in the main case is preponed from
12.02.2018 to today itself.

Application stands disposed off.

CRM-M No.39450 of 2017:

In this petition, the petitioner, who is an accused in F.I.R. No.465, dated 31.08.2017, under Sections 177, 182, 420 and 468 of the Indian Penal Code, registered at Police Station Gannaur, District Sonipat, (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

2. Earlier on 24.10.2017, this Court had passed an order directing the parties to get their statements recorded before the Ld. Trial Court/Illaq Magistrate and the said Court thereafter to send up its Report regarding veracity of the compromise stated to have been arrived at between them.

3. The matter was, however, not taken up before the Court on the designated date, i.e. 20.12.2017, after which the application being CRM No.2792 of 2018 was filed with a prayer to place on record Annexure P-4 being the addendum dated 16.01.2018 to the compromise arrived at between the parties and as such, after the application re: preponement was allowed, on submission of both parties, the matter was sent up to the Mediation and Conciliation Centre of this Court for ascertaining about the implementation of the compromise. The Mediator has sent up the Report in response in the form of statements of the parties recorded which go to indicate that the compromise arrived at between them is voluntary and without any coercion or pressure.

4. In view of the report of Mediator and also in view of the decision of the Hon'ble Supreme Court in “**Gian Singh Vs. State of Punjab and another**”, 2012(4) RCR (Criminal) 543 and “**Narinder Singh and Others Vs. State of Punjab and Another**”, (2014) 6 SCC 466, this Court is

of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/accused.

5. In the circumstances, the present petition is allowed. F.I.R. No.465, dated 31.08.2017, under Sections 177, 182, 420 and 468 of the Indian Penal Code, registered at Police Station Gannaur, District Sonipat, (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioner.

06.02.2018

Apurva

**(SUDIP AHLUWALIA)
JUDGE**

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No