

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

280

CRM-M-41803-2017

Date of decision: 24.01.2018

Lokesh Garg

...PETITIONER

VERSUS

State of Haryana and another

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Vikas Lochab, Advocate,
for the petitioner.

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana,
for the State.

Mr. Ravi Chadda, Advocate,
for respondent No. 2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No. 593 dated 14.11.2015 (Annexure P-1) under Sections 120-B/420/467/468/471 IPC registered at Police Station Kundli, District Sonapat and all consequential proceedings arising therefrom in the light of the compromise dated 28.10.2016 (Annexure P-2).

On 06.11.2017, when this case came up for hearing, the following order was passed:-

“ Notice of motion 6.12.2017.

On the asking of the Court, Mr. Munish Sharma, AAG
accepts notice on behalf of respondent/State.

Mr. Ravi Chadda, Advocate has put in appearance for respondent No.2 and filed memo of appearance and undertakes to file power of attorney by the next date.

Parties are directed to appear before the trial Court/Ilaqa Magistrate to get their statements recorded to the satisfaction of the trial Court/Ilaqa Magistrate within a period of fifteen days and report be sent accordingly and the Magistrate shall also intimate as to whether any of the parties to this petition are declared proclaimed offender or not before the next date of hearing.”

In pursuance to the order passed by this Court on 06.11.2017, the learned Judicial Magistrate, Ist Class, Sonapat, has recorded the statements of the parties and has submitted his report, according to which, the compromise dated 28.10.2016 (Annexure P-2) has been entered into between the parties voluntarily without any coercion, undue influence or pressure. It has further been stated that the complainant has no objection in case the FIR and all consequential proceedings arising therefrom are quashed. The learned Judicial Magistrate, Ist Class, Sonapat has further reported that none of the accused is declared as proclaimed offender.

Keeping in view the above facts and circumstances of the compromise, which has been entered into, especially when the complainant is satisfied and does not want to pursue the present case, no fruitful purpose would be served with the continuation of the proceedings further especially when an amicable settlement has been entered into voluntarily between the parties.

Keeping in view the ratio of the judgment of the Supreme Court

in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, the present petition is allowed. FIR No. 593 dated 14.11.2015 (Annexure P-1) under Sections 120-B/420/467/468/471 IPC registered at Police Station Kundli, District Sonapat and all consequential proceedings arising therefrom are hereby quashed.

January 24, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No