

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-43020-2016 (O&M)

Date of Decision:-20.07.2018.

Haji Amir Hassan @ Faquir Mohamed and others

.....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Sanjeev Kumar Bawa, Advocate for the petitioners.

Mr. Manish Dadwal, AAG, Haryana with
SI Mulakh Raj, P.S. Raipur Rani, Panchkula.

Mr. Satbir Mor, Advocate for respondent No.2.

P.B. BAJANTHRI, J. (Oral)

In the instant petition, petitioners are seeking quashing of Case FIR No.140 dated 17.11.2015 under Sections 120-B, 406, 420 IPC, registered at Police Station Raipur Rani, District Ambala (Annexure P-1) and Final Report under Section 173 of Cr.P.C. dated 25.04.2016 (Annexure P-2) and all the subsequent proceedings arising therefrom on the basis of compromise dated 24.10.2017.

2.) Learned counsel for the petitioners and respondent No.2 submitted that FIR is a result of some misunderstanding with regard to money transaction. Now with the intervention of relatives and friends, parties have amicably settled their dispute and entered into compromise

which has been recorded before the Trial Court.

3.) This Court vide order dated 24.10.2017 had directed the parties to appear before the Trial Court/Illaq Magistrate on 02.11.2017 for recording their statements with regard to veracity of the compromise. The Judicial Magistrate Ist Class, Panchkula has sent his report dated 3.11.2017 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

4.) In view of the law laid down in “Narinder Singh Vs. State of Punjab” 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed; FIR No.140 dated 17.11.2015 under Sections 120-B, 406, 420 IPC, registered at Police Station Raipur Rani, District Ambala (Annexure P-1) and Final Report under Section 173 of Cr.P.C. dated 25.04.2016 (Annexure P-2) and all the subsequent proceedings arising therefrom on the basis of compromise dated 24.10.2017, are hereby quashed subject to payment of litigation cost to the State of Haryana sum of ₹ 3,000/- by each of the petitioner. Cost be remitted in the Treasury, State of Haryana within a period of 3 months from today.

(P.B. BAJANTHRI)
JUDGE

July 20, 2018.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.