

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

**CRM-M-42986-2017 (O&M)
Decided on: 24.09.2018**

Nitin Syal

.... Petitioner

Versus

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present: Petitioner in person, with
Mr. Prithivesh, Advocate.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Kunal Dawar, Advocate,
for respondent No.2.

H.S. MADAAN, J (ORAL)

This is a petition for quashing of the FIR on the basis of compromise/settlement arrived at between the parties.

As regards one of the terms and conditions regarding ECHS smart card, the petitioner states that he has not yet received the same, however, as and when he receives it from the quarter concerned, he would hand it over to respondent No.2.

With regard to the canteen card, the petitioner states that as per policy of the department, a child below the age of 10 years is not entitled to draw grocery using that card and minor son of the parties, namely, Udhikaman Syal is yet to attain the age of 10 years and the moment, he attains the age of 10 years, the petitioner would get a new card prepared as per terms of policy of the department and will hand it over to respondent No.2.

Learned counsel for the complainant states that he has brought the affidavit of complainant-respondent No.2 pleading no objection, if FIR in question alongwith consequential proceedings arising therefrom are quashed. He has placed on record such affidavit. In para No.3 of that affidavit, it is mentioned that all the terms and conditions of compromise have been complied with except (iii) which are mentioned therein.

With regard to the condition at (i), learned counsel for the complainant states that a clarification in the last order has been given and as such, no further action in that regard is required.

With regard to the condition at (ii), the notarized authority letter has since been given by the petitioner to respondent No.2.

As regards (iii), the petitioner has given an undertaking in the Court today.

Therefore, according to him, nothing more is required to be done at this stage by the petitioner and complainant-respondent No.2 has no objection, if the petition is accepted and the FIR alongwith ancillary proceedings are quashed.

Petitioner has also furnished an affidavit that matter has been compromised between the parties and that he is not involved in any other criminal case and has not been declared a proclaimed offender in any such case.

Learned State counsel submits that in view of the compromise arrived at between the parties, he has no objection if the petition is accepted.

Therefore, the present petition is allowed and FIR No.15 dated 22.03.2016, under Sections 498-A, 323, 406 and 506 of IPC, registered at Women Police Station, Panchkula alongwith ancillary proceedings is ordered to be quashed.

However, the petitioner shall remain bound by the undertaking given by him mentioned supra.

(H.S. MADAAN)
JUDGE

24.09.2018
Dinesh

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No