

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

**CRM-M-44098-2017
Date of decision:2.2.2018**

Nipun Breja

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Ashwinder Kaur, Advocate
for the petitioner.

Mr. Vikas Chopra, DAG, Haryana
for respondent No.1.

Mr. H.C. Walia, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.879 dated 4.10.2016, under Sections 403, 406, 506 IPC registered at Police Station City, Ballabgarh, District Faridabad, on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 20.11.2017 to appear before the learned Illaqa Magistrate/trial Court and

get their statements recorded and in pursuance thereof, learned Judicial Magistrate Ist Class, Faridabad recorded the statements of both the parties and submitted a report dated 15.12.2017. A perusal of the report reveals that the compromise entered into between the parties is voluntary and without any fear, coercion, inducement or threat. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. No objection has been raised by the learned State counsel on instructions from ASI Ashman Singh on a specific query put to him by the Court with regard to quashing of the FIR as well as all other consequential proceedings on the basis of the compromise effected between the parties in this case.

5. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, and the fact that no objection has been raised by the State, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed.

6. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

2.2.2018
Gaurav Sorot

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| 1. | Whether reportable? | No |
| 2. | Whether reasoned / speaking? | Yes |