

CRM-M-44243-2017

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

CRM-M-44243-2017

Date of Decision: 14th May, 2018

Fateh Singh & others

...Petitioners

Versus

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Surender Saini, Advocate,
for the petitioners.

Mr. Sharad K. Yadav, DAG, Haryana.

Ms. Gaganjot Kaur, Advocate
for respondents No.2 and 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

This petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.618 dated 26.09.2017, under Sections 120-B, 420, 467, 468 and 471 of the Indian Penal Code (hereinafter referred to as 'IPC'), registered at Police Station City Sonapat, District Sonapat, (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of the compromise dated 06.10.2017 (Annexure P-2) entered into between the parties.

The case came up for hearing before this Court on 21.11.2017, when the parties were directed to appear before the Illaqa Magistrate, Police Station City Sonapat, to record their respective statements. On recording the statements of the parties, report was sought from Illaqa Magistrate as to

its satisfaction with regard to the compromise.

In compliance with the said order, parties appeared before the Chief Judicial Magistrate, Sonapat and got recorded their respective statements. On the basis of the statements of the parties, report dated 06.12.2017 has been submitted by the Chief Judicial Magistrate, Sonapat, wherein, it has been concluded that the said Court is satisfied that the compromise entered into between the parties is voluntary, without any pressure or coercion.

Counsel for the petitioners, in the light of the report of Chief Judicial Magistrate, Sonapat, referred to above, prays that the present petition may be allowed as the parties have amicably resolved their dispute.

Counsel for respondents No.2 and 3 acknowledges the fact that there is indeed a compromise and the complainant has no objection in case the present petition for quashing of FIR, which was recorded at her behest, is allowed.

In view of the above facts and circumstances, especially the report of the Chief Judicial Magistrate, Sonapat, dated 06.12.2017 where the compromise dated 06.10.2017 (Annexure P-2) entered into between the parties has been found to be genuine, the interest of justice would be served by quashing the FIR and all consequential proceedings arising therefrom.

In the light of the above and the ratio of latest judgment of the Hon'ble Supreme Court in ***Criminal Appeal No.1723 of 2017***, titled as ***'Parbatbhai Aahir @ Parbhabhai Bhimsinhbhai Karmur & others Vs. State of Gujarat & another***, decided on 04.10.2017 and in the judgment of

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Narinder Singh & others Vs. State of Punjab & another, 2014 (2) R.C.R. (Criminal) 482 as also the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another, 2007 (3) RCR (Criminal) 1052*, the present petition is allowed. FIR No.618 dated 26.09.2017, under Sections 120-B, 420, 467, 468 and 471 of IPC, registered at Police Station City Sonapat, District Sonapat, (Annexure P-1) and all subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

14th May, 2018
Harish

(AUGUSTINE GEORGE MASIH)
JUDGE

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