

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

CRM-M-44245-2017

Date of decision:- 05.02.2018

Mukund Halwasia and others

.....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Abhinav Sood, Advocate
for the petitioners.

Mr. Vikas Chopra, DAG, Haryana.

Mr. Manpreet Singh, Advocate
for respondents No.2 and 3.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.874 dated 07.09.2017, under Sections 406, 420 and 120-B IPC, registered at Police Station Gurgaon Sadar, District Gurgaon, on the basis of compromise entered into between the parties.

2. Heard.

3. Both the parties were directed by this Court vide order dated 21.11.2017 to appear before the learned Illaqa Magistrate/trial Court and get their statements recorded and in pursuance thereof, learned Additional Chief Judicial Magistrate, Gurugram, recorded the statements of both the

parties and submitted a report dated 02.01.2018. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntary and without any coercion or undue influence. Even as on today the parties are not disputing the factum of compromise arrived at between them.

4. Reply by way of affidavit filed on behalf of respondent No.1-State today in the Court and the same is taken on record.

5. Learned State counsel has opposed the present quashing petition by submitting that the petitioners have not joined the investigation in this case as yet.

6. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, continuance of the prosecution would be an exercise in futility. Further, the dispute is personal in nature and no public funds are involved in this case. Therefore, the aforesaid FIR and all consequent proceedings resulting therefore are quashed.

7. Petition is allowed.

February 05, 2018
naresh.k

(MAHABIR SINGH SINDHU)
JUDGE

Whether reportable?	Yes
Whether reasoned/speaking?	Yes