

In the High Court of Punjab & Haryana at Chandigarh.

CRM-M-6108-2016

Date of decision: 11.01.2018

Vedpal and others

..... Petitioners.

VS.

State of Haryana and another

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.P.S.Sidhu, Advocate
for the petitioners.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Raghav Goel, Advocate
for respondent No.2.

ARVIND SINGH SANGWAN,J.(ORAL)

Prayer in this petition is for quashing of FIR No. 1622 dated 18.12.2014, under sections 365, 327, 465, 467, 471, 506, 120-B IPC and Section 25/54/59 of the Arms Act, registered at Police Station City, Panipat, District Panipat and all other subsequent proceedings arising therefrom on the basis of compromise (Annexure P2) arrived at between the parties.

Brief facts of the case are that respondent No.2-complainant got FIR registered against the petitioners with the allegations that on an earlier occasion, he has got registered FIR No. 957 dated 27.09.2014 against accused Sandeep, Sonu, Amarjeet and three other persons and on that account, these persons were putting pressure on him to compromise the matter and in order to effect a compromise, he was forcibly taken to the Court premises for putting his signatures.

Vide order dated 08.05.2017, the parties were directed to appear before the CJM, Panipat for the purpose of recording of their statements. It was also noticed in the order that no charge under the provisions of Prevention of Corruption Act was framed.

In pursuance of the aforesaid order, the report dated 14.06.2017 has been received and as per the report, complainant-Vikrant Malik has appeared before the CJM, Panipat on 31.05.2017 and has made a statement voluntarily, without any pressure or coercion that he has entered into a compromise with the petitioner-accused persons. Similar statement was made by all the accused persons. Thereafter, report was sought from ASI Dinesh Kumar on 12.06.2017 regarding the fact if any of the petitioners is proclaimed offender or not. As per his report, all the petitioners are on bail.

Counsel for the petitioners has further stated that FIR No. 957 dated 27.09.2014 has already been quashed by this Court vide order dated 02.08.2016 passed in CRM-M-6669-2016 titled as **Amarjit and others vs. State of Haryana and another.**

The learned counsel appearing for the complainant has not disputed the fact that there is a valid and genuine compromise effected between the parties.

Learned State counsel, on instructions from ASI Dinesh Kumar, has also verified the fact that the parties have entered into a compromise. Subsequent to the compromise, despite having expiry of a period of 1 ½ years, no untoward incident has taken place between the parties and they are living in peace.

In view of the above, I find that the offence under which the

present FIR has been registered falls in the category of offences which can be compoundable in view of Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052.**

Since, the parties have amicably settled their dispute and have decided to live in peace and not to litigate against each other, no useful purpose would be served in allowing the continuation of the proceedings between the parties.

Accordingly, FIR No. 1622 dated 18.12.2014, under sections 365, 327, 465, 467, 471, 506, 120-B IPC and Section 25/54/59 of the Arms Act, registered at Police Station City, Panipat, District Panipat and all other subsequent proceedings arising therefrom are, hereby, quashed qua the petitioners.

The petitioners shall pay ₹15,000/- on account of costs of the proceedings before the District Legal Services Authority, Panipat. The payment of costs shall be a condition precedent and the trial Court will consign the file to record room only after obtaining the receipt of payment of costs from the petitioners.

Disposed of

11.01.2018
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(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : *Yes/No*