

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-8606-2015 (O&M)

Date of decision: 25.01.2018

Om Parkash and another

...PETITIONERS

VERSUS

State of Haryana and others

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

Mr. Kuldeep Sharma, Deputy Advocate General, Haryana,
for the State.

Mr. Chander Shekhar Singhal, Advocate,
for respondent No. 2.

Mr. Aman Dhir, Advocate (Legal Aid Counsel),
for respondent No. 3.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No.447 dated 22.08.2009(Annexure P-1)under Sections 420/467/468/471 IPC registered at Police Station Jhajjar,District Jhajjar and all consequential proceedings arising therefrom in the light of the compromise dated 01.10.2011 (Annexure P-2).

Counsel for the complainant as well as respondent No. 3 through Legal Aid Counsel as well as respondent No. 3 in person have put in appearance. Respondent No. 3 is also an accused in the FIR. Counsel for the complainant acknowledges the fact that a compromise dated 01.10.2011 has

been entered into between the parties, copy whereof has been placed on record as Annexure P-2. He further states that although respondent No. 3- Satbir son of Nathu Ram is not a petitioner but he has no objection if the FIR qua him is quashed as those of petitioners Om Parkash and Satbir.

In the light of the fact that the dispute between the parties was primarily over a share in the property, which matter stands already compromised between them, and keeping in view the fact that the parties are inter-related and want to settle the dispute between them, the prayer made in the petition deserves to be allowed. Further as per the the ratio of the judgment of the Supreme Court in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, the present petition is allowed. FIR No. 447 dated 22.08.2009 (Annexure P-1) under Sections 420/467/468/471 IPC registered at Police Station Jhajjar, District Jhajjar and all consequential proceedings arising therefrom are hereby quashed.

January 25, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No