

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

**(1) Crl. Misc. No. M-589 of 2019
 Date of Decision: September 10, 2019**

Manoj Gupta

.....PETITIONER

VERSUS

State of Haryana and another

.....RESPONDENTS

(2) Crl. Misc. No. M-590 of 2019

Pawan Goyal

.....PETITIONER

VERSUS

State of Haryana and another

.....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Jasbir Singh Ahlawat Advocate
 for the petitioner(s).

Mr. Kuldeep Sharma, D.A.G., Haryana.

Mr. Shiv Kumar, Advocate
for respondent No. 2-complainant.

SURINDER GUPTA, J.(Oral)

The petitioner(s) have filed these petitions under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.69 dated 26.09.2018 (Annexure P-1) along with all consequential proceedings arising therefrom, registered at Police Station Dabua, District Faridabad for offences punishable under Sections 406 of Indian Penal Code (for short 'IPC') (offence punishable under Sections 420, 467, 468 IPC added later on), on the basis of the compromise (Annexure P-2).

As per allegations in the FIR, complainant had supplied ghee and cashew nuts to the petitioner(s), who did not make the payment of consignment sent to them. Later on, it was found that they had entered into a deal with the complainant only to commit fraud and their addresses given in the Aadhar Card were also fake.

Learned counsel for the petitioner(s) submits that the matter has since been settled amicably vide compromise, copy of which has been placed on file as Annexure P-2 .

Learned counsel for respondent No.2-complainant endorses the submission of learned counsel for the petitioner(s) and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 09.07.2019 in both the cases stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to these petitions an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, both the petitions are allowed and the FIR No.69 dated 26.09.2018 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioner(s), is quashed.

September 10, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>