

CRM-M-9599 of 2015

Date of decision : February 22, 2019

Dharam Pal and another

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present : Ms. Bhanvi Sood, Advocate for
Mr. R.N. Lohan, Advocate
for the petitioners.
Ms. Harpreet Kaur, DAG, Haryana.

Mr. Rajesh Gupta, Advocate
for respondent No.4.

ARVIND SINGH SANGWAN, J. (Oral)

This petition is pending since 2015. The prayer made in the petition is for quashing of FIR No.253 dated 25.12.2014 under Sections 420, 467, 468, 471, 120-B IPC and Section 7/10/55 of Essential Commodities Act registered at Police Station Uklana, District Hisar on the basis of compromise arrived at between the parties.

Learned State counsel, on instructions from SI Harpal Singh, submits that out of the 18 prosecution witnesses, 12 have already been examined on 6.2.2017 and question was framed whether the FIR registered for an offence punishable under the Essential Commodities Act can be quashed on the basis of the compromise. Counsel for the petitioner as well as counsel for respondent No.4 are unable to put any case law.

In view of the judgment of Hon'ble the Supreme Court in case Parbatbhai Ashir @ Parbatbhai Bhimsinbhai Karmur and others Vs. State of Gujarat and another, 2017(4) RCR (Criminal) 523, it is held that the offences which are not private in nature but have serious impact on society cannot be quashed on the basis of the compromise.

Accordingly, this petition is dismissed.

However, liberty is granted to the petitioners to raise all the pleas/defence available to them during the course of the trial.

**(ARVIND SINGH SANGWAN)
JUDGE**

February 22, 2019