

In the High Court of Punjab and Haryana at Chandigarh

233-2

CRM-M-43151-2019 (O & M)

Date of Decision: December 18, 2019

BRIJESH GOSWAMI AND ANR

.....PETITIONERS

VERSUS

STATE OF HARYANA AND ORS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sanjay Vashisth, Advocate for the petitioners.

Mr. D.R. Singla, DAG, Haryana.

Mr. Sudarshan Kumar, Advocate for respondents No.2 and 3.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioners are seeking quashing of FIR No.51 dated 24.01.2019, under Sections 406, 420 and 506 of the Indian Penal Code ('IPC' - for short) (subsequently added Sections 467, 468, 471 and 120-B IPC), registered at Police Station Surajkund, District Faridabad (Annexure P-3), on the basis of compromise dated 03.09.2019 (Annexure P-5) arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is outcome of a monetary dispute which has now been settled. He has referred to the copy of settlement dated 03.09.2019 arrived at between the parties before the Mediator, which is annexed as Annexure P-5, which has been signed by the petitioners as well as complainants/respondent No.2 and 3 namely Amit Jain and Dev Dutt Sharma. He has handed over two demand drafts for a total amount of ₹24 lacs in favour of Amit Jain and Dev Dutt Sharma (respondents No.2 and 3), who are present in Court, towards full and final settlement. They have been identified by their counsel. Power of attorney of Pardeep Kumar

(respondent No.4) in favour of Dev Dutt Sharma (respondent No.3) is already on record. He further contends that the petitioners had also executed the sale deed of a flat in favour of Amit Jain.

Learned counsel for respondents N.2 and 3 states that the matter has indeed been settled.

Heard.

The FIR is outcome of a monetary dispute which has now been settled before the Mediator and in this regard, settlement dated 03.09.2019 arrived at between the parties is annexed as Annexure P-5 with the main petition. For full and final settlement, two demand drafts for a total amount of ₹24 lacs has been handed over to Amit Jain and Dev Dutt Sharma (respondents No.2 and 3), who are present in Court. The petitioners had also executed the sale deed of a flat in favour of Amit Jain (respondent No.2).

In view of the mandate of the Hon'ble Supreme Court in the case of *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.51 dated 24.01.2019, under Sections 406, 420 and 506 of the Indian Penal Code ('IPC' - for short) (subsequently added Sections 467, 468, 471 and 120-B IPC), registered at Police Station Surajkund, District Faridabad (Annexure P-1) and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s).

(ANUPINDER SINGH GREWAL)
JUDGE

December 18, 2019

A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No