

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

CRM-M-11640-2019

Date of decision:4.2.2020

RAVINDER KUMAR KALIA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND ANR

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Divjyot S. Sandhu, Advocate
for the petitioners.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. Jayender Chandail, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioners seek quashing of FIR No.78 dated 3.4.2018 under Sections 406 IPC, Police Station Chandimandir, District Panchkula and proceedings emanating therefrom on the basis of a compromise effected between the parties.
2. Pursuant to directions issued by this Court on 13.3.2019, statements of the parties including the statement of the complainant Sh. Hari Parkash Sharma have been recorded.
3. The complainant has specifically stated that the accused had taken an amount of ₹22.5 lakhs on the pretext of sending his children abroad regarding which the FIR in question was lodged. He has further stated that the matter has now been compromised and he has received an amount of ₹19 lakhs and that he has no objection, in case, FIR in question is

quashed and that the compromise has been entered into without there being any pressure or coercion. He has however stated that the compromise has been effected without prejudice to his daughter's matrimonial rights.

4. A joint statement of the accused has also been recorded wherein they have stated that the matter stands compromised.
5. The complainant is present in person along with his counsel and upon query made by this Court, he has expressed that he has no objection for quashing of the FIR.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.78 dated 3.4.2018 under Sections 406 IPC, Police Station Chandimandir, District Panchkula and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.
7. It is however clarified that the complainant's daughter would be at liberty to have recourse to law as far as her matrimonial rights are concerned.
8. Needless to mention that the amount of ₹19 lakhs which is stated to have been invested in FDR in Central Bank of India, Sector 25, Panchkula may be withdrawn by the complainant. The Bank Manager, shall render requisite assistance.

(GURVINDER SINGH GILL)
JUDGE

4.2.2020
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No