

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

CRM-M-23975 of 2020 (O&M)

DATE OF DECISION : 02.11.2020

Tarun Chugh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Arpandeeep Narula, Advocate,
for the petitioner.

Mr. Bhupender Singh, DAG, Haryana.

None for respondent No.2-complainant.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

1. On the basis of a compromise, petitioner herein seeks to quash an FIR bearing No. 107 dated 08.05.2020 registered under Sections 406 and 420 of IPC, at Police Station Kalanwali, District Sirsa.

2. Compromise deed as well as an affidavit dated 23.07.2020 executed by and between the parties are appended as Annexures P-2 and P-3, respectively. Since quashing was sought on the basis of compromise, this Court on 08.09.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording of their statements in support of the compromise. A veracity report was also called for.

3. A report dated 12.10.2020 of the Judicial Magistrate Ist Class, Dabwali is on record. Perusal thereof reveals that the statements of the complainant party i.e. respondent No.2 as also of the accused/present petitioner

herein have been duly recorded. Complainant has stated that he has received the amount and nothing is due towards the petitioner. It has also been opined that a compromise has been arrived without any pressure, undue influence or coercion. The report is accompanied by the statements of the parties.

4. None has appeared today on behalf of respondent No.2 to controvert the aforesaid.

5. This Court in appropriate cases can exercise its jurisdiction under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. Reference may be had to a Full Bench decision of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*¹ and Apex court judgment in *Narinder Singh and others vs. State of Punjab and another*².

6. In the case in hand, the complainant/respondent and accused/petitioner have arrived at a compromise voluntary and without any coercion.

7. It is an appropriate case to invoke Section 482 of Cr.P.C. to end the criminal proceedings initiated pursuant to the impugned FIR.

8. In the premise, the present petition is allowed. FIR No. 107 dated 08.05.2020, registered under Sections 406 and 420 of IPC, at Police Station Kalanwali, District Sirsa and all proceedings emanating there from qua the petitioner stand quashed.

9. Petition is allowed in the aforesaid terms.

November 02, 2020
Jiten

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

¹ **2007 (3) RCR (criminal) 1052**
² **2014(6) SCC 466**