

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

CRM-M-25127 of 2020 (O&M)

Date of Decision: 28.09.2020

Jagpal Singh @ Jaipal and another

...Petitioners

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Namit Khurana, Advocate,
for the petitioners.

Mr. Bhupender Singh, DAG, Haryana.

Mr. Rajesh Malik, Advocate,
for respondent No.2.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.328 dated 05.06.2020, under Sections 406, 420 and 120-B of IPC and Section 24 of Immigration Act and under Section 370 IPC (added later on) registered at Police Station Assandh, District Karnal and all the consequential proceedings emanating there from, inter alia, on the basis of compromise dated 29.06.2020 contained at Annexure P-2, which is stated to have been arrived between the parties.

2. Since quashing was sought primarily on the basis of compromise, this Court on 01.09.2020 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 21.09.2020 of the Sub Divisional Judicial Magistrate, Assandh is on record. A perusal thereof reveals that the statements of the complainant party i.e. respondent No.2 as also of the petitioners have been duly recorded. 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. Mr. Rajesh Malik, Advocate, who represents the complainant party/respondent No.2 also makes a statement that the compromise having been effected, he has no objection to the quashing of the FIR.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be had to a Full Bench decision of this Court in **Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (criminal) 1052** and judgment rendered by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, 2014(6) SCC 466**.

6. Adverting back to the case in hand, the complainant/respondent and petitioners 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. For the reasons recorded above, the petition is allowed. FIR No. 328 dated 05.06.2020, under Sections 406, 420 and 120-B of IPC and Section 24 of Immigration Act and under Section 370 IPC (added later on) registered at Police Station Assandh, District Karnal and all proceedings emanating there from, qua the petitioners stand quashed.

9. Petition is allowed in the aforesaid terms.

SEPTEMBER 28, 2020

Vandana

Whether speaking/reasoned :

Whether reportable :

(ARUN MONGA)

JUDGE

Yes/No

Yes/No