

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

CRM-M-26457-2020 (O&M)

Date of decision: 07.09.2020

Ankit Sehgal and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. S.S. Momi, Advocate,
for the petitioners.

Ritu Bahri, J.

Quashing of FIR No.324 dated 18.06.2020, under Sections 406/420 IPC, registered at Police Station, Pehowa, District Kurukshetra, Haryana (Annexure P-1) and subsequent proceedings arising therefrom, are being sought on the basis of compromise/affidavit dated 23.07.2020 (Annexure P-3).

FIR (Annexure P-1) was registered on the basis of complaint made by Baljinder Kumar-respondent No.2 with the allegation that he (complainant) purchased a plot from the petitioners vide sale deed dated 08.02.2018 and at that time, they (petitioners) had assured that there was no encumbrance over the said property. However, on 28.01.2020, complainant found a notice from Central Bank of India, lying pasted outside his house, regarding seizure of said property. Therefore, the complainant alleged that the petitioners have duped him. In this backdrop, the FIR (Annexure P-1) was got registered.

As per learned counsel for the petitioners, after registration of the FIR, petitioners have entered into one time settlement with the Central Bank of India on 26.06.2019 for a total some of Rs.24,22,500/- (Annexure P-2). Thereafter, with the intervention of respectable persons, the matter has been compromised between the parties. In this regard complainant-Baljinder Kumar (respondent No.2) has his affidavit 23.07.2020 (Annexure P-3).

Notice of motion.

On the asking of the Court, Ms. Sheenu Sura, DAG, Haryana, accepts notice on behalf of respondent-State and Mr. Harinder Singh, Advocate, accepts notice on behalf of respondent No.2. Learned State counsel, on instructions from ASI Gurdev Singh, informs that in this case, challan has not been presented so far and one more FIR with similar allegation, has been registered against the petitioners.

Learned counsel for the petitioners states that in that case also, compromise has been effected between the parties and a petition (CRM-M-26462-2020) for quashing of the FIR is listed today itself before a Co-ordinate Bench of this Court.

Learned counsel for respondent No.2 also states that as per affidavit dated 23.07.2020 (Annexures P-3), the matter has been amicably resolved between the parties and the petitioners have already deposited part payment with the bank as per one time settlement. The remaining amount shall be paid as per the settlement effected between the petitioners and the bank.

A perusal of the affidavit dated 23.07.2020 (Annexure P-3) shows that the compromise has been effected voluntarily, without any pressure, coercion and with free will of the parties. They have no objection if the

F.I.R. (Annexure P-1) is quashed. Photocoy of Aadhaar card of Baljinder Kumar has been attached as Annexure P-4.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties as per affidavit dated 23.07.2020 (Annexure P-3), whereby they have decided to get the F.I.R. quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice. Consequently, in view of the judgments passed by the Hon'ble Supreme Court in *Madan Mohan Abbot vs. State of Punjab* 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of *Kulwinder Singh and Ors. vs. State of Punjab and another* 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.324 dated 18.06.2020, under Sections 406/420 IPC, registered at Police Station, Pehowa, District Kurukshetra, Haryana (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua the present petitioners.

Petition stands allowed accordingly.

07.09.2020
ajp

(RITU BAHRI)
JUDGE

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