

CRM-M No.27358 of 2020

Date of Decision : 11.09.2020

Kundan Lal Gupta and another

...Petitioners

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Damanbir Singh Sobti, Advocate for the petitioners.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to the outbreak of Covid-19 pandemic.
2. Notice of motion.
3. Mr. Surender Singh, learned Asstt. A.G., Haryana, accepts notice on behalf of respondent No.1 while Ms. Tania Mahajan, Advocate puts in appearance and accepts notice on behalf of respondent Nos.2 and 3.
4. Prayer in the petition under Section 482 Cr.P.C. is for quashing of FIR No.37 dated 10.02.2020, registered under Sections 406, 420 & 506 IPC, at Police Station Sector 13/17, Panipat, Haryana and all subsequent proceedings arising therefrom on the basis of compromise i.e. Annexure P-2 between the parties.
5. FIR No.37 dated 10.02.2020 for the offences under Sections 406, 420 & 506 IPC was registered on the allegations that the petitioners had fraudulently induced respondent No.2-complainant i.e. sole proprietor of respondent No.3 to part with a sum of Rs.16 lakh, for purchase of residential flats but did not deliver the flats and when the money given was

sought back, the petitioners threatened respondent-complainant No.2 with elimination, whereupon he made a complaint against the petitioners for usurping money and for giving threat to his life.

6. Learned counsel contends that misunderstanding had taken place amongst the parties, whereupon FIR No.37 dated 10.02.2020, for the offences under Sections 406, 420 & 506 IPC, was got registered by respondent No.2-complainant against the petitioners at Police Station Sector 13/17, Panipat, Haryana, but thereafter with the intervention of respectable members of society, the parties had amicably settled the differences and arrived at a compromise (Annexure P-2) dated 04.07.2020.

7. Learned State Counsel, on instructions from ASI Balwant Singh, informs that there is no other case against the petitioners, besides no P.O. proceedings are pending and no challan has been presented, till date. He further states that he has no objection, if FIR No.37 dated 10.02.2020, for the offences under Sections 406, 420 & 506 IPC and all subsequent proceedings arising therefrom are quashed.

8. Learned counsel for respondent Nos.2 and 3 also states that she has no objection if the FIR in question and all subsequent proceedings arising therefrom are quashed.

9. In view of the statement of learned counsel for the parties, compromise (Annexure P-2) dated 04.07.2020 between the parties agreeing to the quashing of the FIR, as also in view of the decision of Hon'ble the Supreme Court in 'Madan Mohan Abbot versus State of Punjab', 2008(2) RCR (Crl.) 429, and of 'Kulwinder Singh and others versus State of Punjab and others' 2007(3) RCR (Crl.) 1052 of this Court, it is a fit case

for this Court to exercise its inherent powers under Section 482 Cr.P.C. for quashing of the FIR in the interest of justice as no useful purpose would be served by prolonging the litigation.

10. Accordingly, in the light of the position as noted above, FIR No.37 dated 10.02.2020, registered under Sections 406, 420 & 506 IPC, at Police Station Sector 13/17, Panipat, Haryana and all subsequent proceedings arising therefrom are *quashed* on the basis of compromise i.e. Annexure P-2 between the parties.

11. Petition stands ***disposed of*** in the aforementioned terms.

(B.S. Walia)
Judge

September 11, 2020

'Rajneesh-Amit'

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