

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

Sr. No.227

CRM-M-28512-2020

Date of decision: 16.11.2020

Rajiv Sharma and another

....Petitioners

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. A.K. Khubbar, Advocate
for the petitioners.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

Mr. K.L. Saini, Advocate
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.288 dated 21.08.2019 registered under Sections 406, 420 IPC, at Police Station Naraingarh, District Ambala and all subsequent proceedings arising out of it on the basis of the compromise dated 06.06.2020 (Annexure P-2).

On 21.09.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties number of accused arraigned in the FIR; name of the complainant/injured/aggrieved as also to

apprise this Court whether the accused were ever declared as proclaimed offenders and stage of trial.

As directed, report dated 09.11.2020 from the Sub-Divisional Judicial Magistrate, Naraingarh has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; any petitioners are arrayed as accused in this case and also no proclamation proceedings are pending against them.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, which pertains to a money dispute between private parties; where the trial is yet to commence and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal), 1052, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.288 dated 21.08.2019 registered under Sections 406, 420 IPC, at Police Station Naraingarh, District Ambala and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

November 16, 2020
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No