

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-37822-2019 (O&M)
Date of Decision:-5.3.2020

Vishal Dhingra and another ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vishal Satija, Advocate for the petitioners.

Ms. Aditi Girdhar, Assistant Advocate General, Haryana.

Mr. Rajendra Dangwal, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioners have approached this Court seeking quashing of FIR No.0678 dated 23.12.2016 registered at Police Station DLF-II, Gurugram under Sections 408, 467, 468, 471 and 120-B of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Reply by way of affidavit of Sh. Karan Goel, HPS, Assistant Commissioner of Police, DLF, Gurugram has been filed by learned counsel today in Court, which is taken on record.

Vide order dated 28.11.2019, the parties had been directed to appear before the Trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Judicial Magistrate 1st Class, Gurugram has been received, wherein it has been reported that statements of petitioners/accused Vishal Dhingra and Manoj Kumar and also of complainant Sanjay Kumar, Authorised representative of M/s Omron Healthcare India Private Limited have been recorded to the effect that they have compromised the matter amongst themselves.

The complainant Sanjay Kumar in his statement has stated that he has no objection in case the FIR in question is quashed.

The learned Judicial Magistrate 1st Class, Gurugram has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.0678 dated 23.12.2016 registered at Police Station DLF-II, Gurugram under Sections 408, 467, 468, 471 and 120-B of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

5.3.2020

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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No