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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M No. 49135 of 2019
Date of Decision: 25.11.2020

Ashok Kumar Buwaniwala and others

..... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Dr. Surya Parkash, Advocate,
for the petitioners.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Sube S.Kaushik, Advocate,
for respondents No.2 and 3.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioners, who are the accused persons in F.I.R. No.0140, dated 03.06.2019, under Sections 406, 419, 420 and 506 of the Indian Penal Code and Sections 66(C) and 66(D) of the I.T. Act, registered at Police Station Sarai Khawaja, District Faridabad (Haryana) (Annexure P-1), have prayed for quashing of F.I.R. with all subsequent proceedings on the basis of compromise.

[2]. With the intervention of respectables and elderly people of the society, respondents No.2 and 3 have arrived at a settlement with the accused persons vide the Compromise Deed (Annexure P-4) which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the

compromise arrived at between the parties. The Judicial Magistrate Ist Class, Faridabad, vide report dated 26.11.2019, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[3]. Respondents No. 2 and 3 are represented by their Counsel through Video Conferencing who does not oppose the compromise.

[4]. In view of the report of the Judicial Magistrate Ist Class, Faridabad, and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant have themselves compromised the dispute with the petitioners/accused persons.

[5]. In the circumstances, the present petition is allowed. F.I.R. No.0140, dated 03.06.2019, under Sections 406, 419, 420 and 506 of the Indian Penal Code and Sections 66(C) and 66(D) of the I.T. Act, registered at Police Station Sarai Khawaja, District Faridabad (Haryana) (Annexure P-1), and all consequential proceedings arising therefrom are hereby quashed on the basis of compromise qua the present petitioners.

25.11.2020

Apurva

(SUDIP AHLUWALIA)
JUDGE

1. Whether speaking/ reasoned : Yes/ No
2. Whether reportable : Yes/ No