

251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

SMRITI
2020.02.18 12:37
Attest to the accuracy and
integrity of this document

CRM-M-51854-2019

Date of Decision: 14.02.2020.

Dharam Pal and Others

... Petitioners

vs.

State of Haryana and Another

.. Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Karamveer Singh Banyana, Advocate
for the petitioners.

Mr. Sulinder Kumar, AAG, Haryana.

Mr. Naveen, Advocate for
Mr. Rajesh Bansal, Advocate
for respondent No.2.

VIVEK PURI, J.(ORAL)

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.239 dated 20.05.2018, under sections 406, 420 IPC (Sections 120-B, 201, 465, 468 and 471 IPC added later on) registered at Police Station Sadar Thanesar, Kurukshetra and all the subsequent proceedings arising therefrom, on the basis of compromise deed dated 14.11.2019 (Annexure P-2).

Precisely, the allegations are to the effect that a sum of Rs.5,27,300/- has been extracted by Vinayak Finance Company from the petitioners on the pretext of sanctioning of loan.

It has been pointed out by learned State counsel that during investigation, the petitioners have been nominated as accused, who are running affairs of Vinayak Finance Company.

On 05.12.2019, notice of motion was issued and parties were directed to appear before the trial Court/Illaq Magistrate for getting their statements recorded with regard to the compromise.

Pursuant to above-said order dated 05.12.2019, report has been received from Additional Chief Judicial Magistrate, Kurukshetra, the relevant portion whereof reads as under:-

“In view of the statement of the parties, this court is satisfied that parties have voluntarily entered into the compromise Annexure P2, which is in the interest of parties and would bring harmony and peace between the parties. The said compromise/settlement is genuine and is not result of any pressure or coercion in any manner. Further it is submitted that as per the report of the Ahlmad concerned there is neither any other accused other than the present accused nor any other complainant or affected/aggrieved party other than the present respondents in this case.”

Learned counsel appearing on behalf of the parties admit that the parties have settled their dispute.

In view of said circumstances and following the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052**, the present petition is allowed and FIR No.239 dated 20.05.2018, under sections 406, 420 IPC (Sections 120-B, 201, 465, 468, 471 IPC added later on) registered at Police Station Sadar Thanesar, Kurukshetra and all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

14.02.2020.
smriti

(VIVEK PURI)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No