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

CRM-M-579-2021

Date of decision: 24.03.2021

Jitender Dutt Attri

... Petitioner

Versus

State of Haryana and another

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Amit Kumar Jain, Advocate,
for the petitioner.

Ms. Gaganpreet Kaur, A.A.G., Haryana.

Mr. Munfaid Khan, Advocate,
for respondent No.2.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.758 dated 19.12.2020 under Sections 406, 420, 506 IPC read with Section 24 of Emigration Act, 1983 registered at Police Station Assandh, District Karnal (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 29.12.2020 (Annexures P-2).

This Court vide order dated 07.01.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub-Divisional Judicial Magistrate, Assandh and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 26.02.2021 to the effect that the compromise has been effected between the parties voluntarily and is without any pressure or influence from any side.

Respondent No.2-complainant, namely, Amit Kumar, has made his statement with regard to compromise before learned Magistrate on 10.02.2021. The same reads as under:-

“Stated that I have amicably and voluntarily settled the present case after the intervention of respectable members of society. I have no objection, if the present FIR is quashed. I am giving the statement in the Court today without any fear, pressure or coercion.”

Learned State counsel and learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Considering the fact that parties have compromised the matter with their own consent and following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.758 dated 19.12.2020 under Sections 406, 420, 506 IPC read with Section 24 of Emigration Act, 1983 registered at Police Station Assandh, District Karnal

(Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner, on the basis of compromise dated 29.12.2020 (Annexures P-2), however, that would be subject to payment of costs of Rs.10,000/- to be paid by the petitioner to the Bar Association of this Court within a period of one month from today.

(HARI PAL VERMA)
JUDGE

March 24, 2021
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Whether speaking/reasoned?	Yes
Whether reportable?	No