

Sarika Jain and others

.....Petitioners

Vs.

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Anjali Khosla, Advocate,
for the petitioners.

Mr. Neeraj Poswal, A.A.G., Haryana.

Mr. Paviterdeep Singh, Advocate,
for respondent no. 2 (the complainant).

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioners seek quashing, on the basis of a compromise arrived at between them and respondent no. 2, of FIR no. 401, dated 11.12.2019, registered at Police Station Mahesh Nagar, District Ambala, for the alleged commission of offences punishable under the provisions of Sections 420/406 of the IPC. A copy of the compromise deed in the shape of an affidavit of respondent no. , i.e. the complainant, has been annexed as Annexure P-2 with the petition.

Pursuant to the order dated 27.01.2021, a report of the learned Judicial Magistrate Ist Class, Ambala, dated 15.02.2021, has been received, stating there that the complaint in the FIR (respondent no. 2 herein, Vishal Sharma), appeared before that court and suffered a statement in writing that the dispute between the parties has been settled with the intervention of “respectables of the society” and members of his family and that the FIR may, consequently, be quashed.

Similarly, the statements of the all four petitioners herein are also stated to have been recorded before that court to the same effect.

The statement of the investigating officer was also recorded by that court, wherein he stated that other than the present petitioners, a company/firm by the name of M/s Jain Allied Health Hygiene Products Ltd. was also arraigned as one of the accused. However, learned counsel appearing for respondent no. 2 submits that in fact it is the petitioners who are partners in the said firm, with there being no other partner and consequently, respondent no. 2 has no objection to the FIR being quashed qua all the accused.

As per the assessment of the learned Magistrate the compromise arrived at between the parties is without any coercion or undue pressure.

That being so, also looking at the nature of offences involved, with the matter having been amicably settled between the parties, the petition is allowed and FIR no. 401, dated 11.12.2019, registered at Police Station Mahesh Nagar, District Ambala, for the alleged commission of offences punishable under the provisions of Sections 420/406 of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

February 22, 2021
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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE

Yes
No.