

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

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**CRM-M-20846-2021
Date of decision : 25.11.2021**

BALWANT SINGH AND ANOTHER

.....Petitioners

Versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. G.S.Sandhu, Advocate
for the petitioners.

Mr. Amreek Singh Narwal, DAG, Haryana
for respondent No. 1-State.

Mr. Dinesh Maurya, Advocate
for respondent No. 2

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 482 of the the Code of Criminal Procedure, 1973 is for quashing of FIR No.463 dated 03.06.2018 registered under Sections 120-B, 406, 420, 467, 468, 471 and 506 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station Assandh, District Karnal (Annexure P-1) with all consequential proceedings arising therefrom in view of the compromise dated 09.04.2021 (Annexure P-2) arrived at between the parties.

Briefly stated, the above said FIR was registered on statement made by respondent No. 2-Jitender Singh, who alleged that he entered into an agreement to sell with petitioner No.2 through petitioner No. 1, who is brother of petitioner No. 2 for purchase of one shop for a sale consideration of Rs. 22 lakhs. Complainant/respondent

No. 2 paid Rs. 8,50,000/- as earnest money to the accused persons but they did not turn up to execute the sale deed. Later on the complainant/respondent No. 2 came to know that petitioner No. 2- Manjeet Kaur is not the owner of the shop and he was defrauded by the accused persons.

Vide order dated 02.07.2021, Co-ordinate Bench of this Court directed the private parties to appear before the trial Court/Illaq Magistrate on 25.08.2021 for recording of their statements with regard to compromise/settlement and directed the Trial Court/Illaq Magistrate to submit a report regarding the genuineness and voluntary nature of the compromise.

In compliance with the above said order, learned Sub Divisional Judicial Magistrate, Assandh has recorded the statements of both the parties and submitted report vide letter No. 576 dated 07.10.2021, duly forwarded by the learned District and Sessions Judge, Karnal vide letter No. 12066 dated 11.10.2021.

I have heard learned Counsel for the parties and gone through the case file.

A perusal of the report of learned learned Sub Divisional Judicial Magistrate, Assandh clearly reveals that the matter has been compromised by the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel has no objection in case the FIR along with all subsequent proceedings arising therefrom is quashed on the basis of compromise effected between the parties.

The offences involved in the present case are

overwhelmingly and predominantly of private character. The parties have resolved their entire dispute. The compromise will also contribute to peace and harmony in the society.

In view of the above, the petition is allowed and FIR No.463 dated 03.06.2018 registered under Sections 120-B, 406, 420, 467, 468, 471 and 506 of the IPC in Police Station Assandh, District Karnal is quashed with all consequential proceedings arising therefrom.

25.11.2021

kavneet singh

**(SANT PARKASH)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No