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

**CRM-M No.26656 of 2020(O&M)
Date of Decision: 03.03.2021**

Nitin Goyal and another

.....Petitioners

Vs

State of Haryana and another

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present:Mr. Vimal Kumar Gupta, Advocate
for the petitioners.

Mr. Rajat Gautam, DAG, Haryana.

Mr. Arjun Dhingra, Advocate
for respondent No.2.

RAJ MOHAN SINGH, J. (Oral)

[1] The case has been taken up for hearing through video conferencing.

[2]. Prayer in this petition is for quashing of FIR No.90 dated 08.06.2020 registered under Sections 406, 420 IPC and Section 24 of the Immigration Act at Police Station Nigdhu Karnal, District Karnal along with all subsequent proceedings arising therefrom on the basis of compromise.

[3]. In the context of genuineness of the compromise, both the parties were directed to appear before the Illaqa Magistrate/trial Court. The trial Court after recording the statements of the parties has submitted its report. Relevant part of the report is reproduced hereasunder:-

“i).As per the statements made by the complainant and the accused persons before this Court, the under-signed is of the considered view that the instant compromise is genuine and the same has been executed voluntarily and out of free will by the parties.

ii).Only two accused were arrayed in the FIR namely Nitin Goyal and Nitin Bansal and effected person is complainant-Naresh Kumar.”

[4]. In view of compromise between the parties, chance of complainant coming forward in support of prosecution case is negligible. Since the compromise has been entered into between the parties and the same has been found to be genuine by the Magistrate, therefore, on the strength of **Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Criminal) 1052** and **Gian Singh vs. State of Punjab and another, 2012 (4) RCR (Crl.) 543,** the FIR can be quashed.

[5]. Learned State counsel, however, opposed the aforesaid course, but in the interest of justice and also to

prevent unnecessary continuation of criminal proceedings, I am of the view that inherent powers under Section 482 Cr.P.C can be exercised in order to achieve ends of justice.

[6]. Resultantly, FIR No.90 dated 08.06.2020 registered under Sections 406, 420 IPC and Section 24 of the Immigration Act at Police Station Nigdhu Karnal, District Karnal as well as all the subsequent proceedings arising therefrom, are hereby quashed.

[7]. Petition stands disposed of.

03.03.2021

Prince

Whether speaking/reasoned

Whether reportable

(RAJ MOHAN SINGH)
JUDGE

Yes/No

Yes/No