

In the High Court of Punjab and Haryana at Chandigarh

**CRM-M No. 27725 of 2020 (O&M)
Date of Decision: 10.12.2021**

Hakam Singh

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Sagar Aggarwal, Advocate
for the petitioner.

Mr. Tanuj Sharma, AAG, Haryana.

Mr. Saurabh Kapoor, Advocate
for respondent No. 2.

SURESHWAR THAKUR, J. (ORAL)

1. Through the instant petition, under Section 482 Cr.P.C., the petitioner seeks quashing of FIR No. 214 dated 28.5.2020 registered at Police Station Kurukshetra University, Kurukshetra, constituting therein offence, under Section 420 IPC, and, also of all the consequent proceedings arising therefrom, hence on the basis of compromise dated 27.8.2020 (Annexure P-2), arrived at between the parties.

2. The learned State counsel submits, that the report under Section 173 Cr.P.C., has yet not been filed.

3. When the instant petition came up before this Court on 16.7.2021, an order was made upon the learned Magistrate concerned, to make a report to this Court, with respect to the genuineness of the compromise, as also qua the number of accused arraigned in the FIR, and,

qua how many have appeared before him, besides making their respective statements, and, as also whether any person has been declared proclaimed offender, and, that whether any other criminal case is pending against the accused.

4. The afore made order by this Court on 16.7.2021, has been complied with by the learned Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement/compromise, arrived at *inter se* the petitioner, and, the respondent No. 2, is a sequel of both, being *ad idem* qua it, besides the compromise/settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported that the settlement/compromise, depended upon by the petitioner, for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

5. Since, the offences carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused petitioner, and, the respondent(s)-complainant, besides when the learned State Counsel has stated that the challan has yet not been filed. Therefore, this Court deems it fit to allow the petition.

6. Consequently, the present petition is allowed, and, the FIR (supra), and, also all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SURESHWAR THAKUR)
JUDGE

December 10, 2021
Gurpreet

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