

237-A

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

CRM-M No.31408 of 2020

Date of Decision : 31.03.2021

Sandeep Kumar

.....Petitioner

Versus

State of Haryana & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. D.S. Pheruman, Advocate
for the petitioner.

Mr. Vishal Malik, D.A.G., Haryana.

None for respondent No.2.

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is the accused in F.I.R No.212 dated 28.05.2020, under Sections 420 IPC (Sections 370, 120-B IPC and Section 24 of Immigration Act added later on), registered at Police Station Kurukshetra University, District Kurukshetra (Annexure P-1), has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. With the intervention of respectables and elderly people of the society, the complainant has arrived at a settlement with the accused vide Compromise Deed (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Ld. Judicial Magistrate, 1st Class, Kurukshetra,

vide report dated 01.03.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No.2 is not present nor he is represented by his Counsel. However, Respondent No.2 has made statement on 22.02.2021, before the Ld. Judicial Magistrate, 1st Class, Kurukshetra, whereby they have admitted the factum of compromise with the accused and deposed that the compromise has been effected between them voluntarily and without any undue influence, coercion or pressure.

4. In view of the report of the Ld. Judicial Magistrate, 1st Class, Kurukshetra, and in view of the decision of the Hon'ble Supreme Court in **“Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543** and **“Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466**, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the Respondent No.2 has himself compromised the dispute with the accused.

5. In the circumstances, the present petition is allowed. F.I.R No.212 dated 28.05.2020, under Sections 420 IPC (Sections 370, 120-B IPC and Section 24 of Immigration Act added later on), registered at Police Station Kurukshetra University, District Kurukshetra (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

31.03.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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