

CRM-M No.31775 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.110 dated 28.05.2020, under Sections 406, 420 IPC (Section 370 IPC and Sections 24, 25 of Immigration Act added later on), registered at Police Station City Ismailabad, 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. Chief Judicial Magistrate, Kurukshetra, vide

report dated 16.11.2020 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 11.11.2020, before the Ld. Chief Judicial Magistrate, 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. Chief Judicial Magistrate, 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.110 dated 28.05.2020, under Sections 406, 420 IPC (Section 370 IPC and Sections 24, 25 of Immigration Act added later on), registered at Police Station City Ismailabad, 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