

CRM-M No.37830 of 2020

Date of Decision : 06.04.2021

Vimal Verma

.....Petitioner

Versus

State of Haryana & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIAPresent : Mr. Sanjeev Kumar, 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 FIR No.157, dated 29.05.2019 under Sections 406, 448, 506 of the IPC (Challan presented under Sections 420, 448, 467, 468, 471 and 506 of the IPC), registered at Police Station Farukh Nagar, District Gurugram (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, Raj Verma, after the death of his father Ram Kishan, the original complainant has arrived at a settlement with the accused/petitioner vide Affidavit (Annexure P-2), which is duly signed by him. 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, Pataudi, vide report dated

16.12.2020 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 09.12.2020, before the Ld. Judicial Magistrate, 1st Class, Pataudi, whereby he has admitted the factum of compromise with the accused/petitioner and deposed that the compromise has been effected between him voluntarily and without any undue influence, coercion or pressure.

4. In view of the report of the Ld. Judicial Magistrate, 1st Class, Pataudi, 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.157, dated 29.05.2019 under Sections 406, 448, 506 of the IPC registered at Police Station Farukh Nagar, District Gurugram (Annexure P-1) including Challan filed under Sections 420, 448, 467, 468, 471 and 506 of the IPC, and all other consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

06.04.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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