

CRM-M No.39572 of 2020

Date of Decision : 06.04.2021

Krishan Singh

.....Petitioner

Versus

State of Haryana

.....Respondent

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Sandeep Singh, Advocate
for the petitioner.

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

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in FIR No.224 dated 12.08.2020 under Sections 370, 406 & 420 of the IPC and Section 24 of the Immigration Act, registered at Police Station Ram Nagar, District Karnal (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 both sides. 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, Karnal, vide report dated 18.01.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Complainant is not a party in this petition but in terms of order dated 27.11.2020 has appeared in person and made statement on 14.01.2021, before the Ld. Chief Judicial Magistrate, Karnal, 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. Chief Judicial Magistrate, Karnal, 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 complainant has himself compromised the dispute with the accused.

5. In the circumstances, the present petition is allowed. F.I.R No.224 dated 12.08.2020 under Sections 370, 406 & 420 of the IPC and Section 24 of the Immigration Act, registered at Police Station Ram Nagar, District Karnal (Annexure P-1), and all 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