

CRM-M No.40548 of 2020

Date of Decision : 08.04.2021

Nirdosh Kumar

.....Petitioner

Versus

State of Haryana & another

.....Respondents

CORAM : HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present : Mr. Priyavrat Parashar, Advocate
for the petitioner.

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

Mr. Neeraj Goel, Advocate
for respondent No.2

SUDIP AHLUWALIA, J. (ORAL)

In this petition, the petitioner, who is accused in FIR No.101 dated 22.10.2020, under Sections 406 & 420 of IPC, 1860 registered at Police Station City Pehowa, 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/petitioner vide Compromise Deed (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, Pehowa, vide report dated 19.02.2021 has apprised this Court that the compromise arrived at between the parties is genuine and without

any pressure.

3. Respondent No.2 is represented by his Counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Judicial Magistrate, 1st Class, Pehowa, 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/petitioner.

5. In the circumstances, the present petition is allowed. FIR No.101 dated 22.10.2020, under Sections 406 & 420 of IPC, 1860 registered at Police Station City Pehowa, District Kurukshetra (Annexure P-1), and all consequential proceedings arising therefrom, are hereby quashed *qua* the present petitioner.

08.04.2021
Jitesh (JTS)

(SUDIP AHLUWALIA)
JUDGE

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