

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-42148-2020 (O&M)

Date of Decision:- 23.3.2021

Deepak Narwal @ Dulichand and another ... Petitioners

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Yashveer Kharb, Advocate, for the petitioner.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Varun Singh Dhanda, Advocate, for respondent No.2.

(Proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.139, dated 28.5.2020, Police Station Madhuban, District Karnal, under Sections 406, 420 IPC and Section 24 of Immigration Act (Sections 120-B and 370 IPC added later on) and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 16.12.2020, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate 1st Class, Karnal, has been received, wherein it has been reported that the statements of petitioners/accused Deepak Narwal @ Dulichand, Somnath Gaba and also of complainant Amit Kumar have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Amit Kumar in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Karnal, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.139, dated 28.5.2020, Police Station Madhuban, District Karnal, under Sections 406, 420 IPC and Section 24 of Immigration Act (Sections 120-B and 370 IPC added later on) and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

March 23, 2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No