

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-51411-2021 (O&M)

Date of decision: 22.12.2021

Jasdeep Singh Sarwara

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Shantanu Bansal, Advocate,
for the petitioner.

Mr. Naveen Kumar Sheoran, DAG, Haryana.

Mr. Sushant Kareer, Advocate,
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.464 dated 17.3.2020 registered under Sections 380 IPC (Section 427 IPC added later on) at Police Station Ambala City, District Ambala on the basis of compromise dated 3.12.2021 (Annexure P-3).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Manesh Pandita in which he alleged that on 16.3.2020 at about 1:00 p.m., he parked his car and, thereafter, someone broke open the window glass of his car and committed theft of laptop which was lying on the seat of the car.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate, Ambala along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioner and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforesaid and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.464 dated 17.3.2020 registered under Sections 380 IPC (Section 427 IPC added later

proceedings are hereby quashed qua the petitioner.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-3 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

December 22, 2021

Paritosh Kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No