

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

(1) CRM-M No. 2936 of 2021 (O&M)
Date of Decision: 27.04.2022

Santokh Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

AND

(2) CRM No. 6479 of 2022 in/and
CRM-M No. 4199 of 2020 (O&M)

Sandeep Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Gurinder Singh Goraya, Advocate
for the petitioner(s) (in both cases).

Mr. Tanuj Sharma, Assistant Advocate General, Haryana
for respondent No. 1 / State, assisted by SI Raj Kumar (in both cases)

Mr. Anupinder Singh Brar, Advocate
for respondent No. 2 – complainant / Ranjit Singh (in both cases).

SURESHWAR THAKUR, J. (ORAL)

CRM-6479-2022 in CRM-M-4199-2020

1. With the consent of the learned counsel for the parties, the date of hearing of the main case bearing CRM-M-4199-2020, is postponed from 11.07.2022, and, is taken up today itself.

2. The application is disposed of.

CRM-4978-2021 in CRM-M-2936-2021

1. The application is allowed, as prayed for.

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AND

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CRM-M No. 4199 of 2020 (O&M)

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2. The affidavit of respondent No. 2 / complainant (Ranjit Singh) regarding compromise with all accused, is taken on record.

3. Registry to place the same at an appropriate place in the paper-book, and, paginate accordingly.

MAIN CASE(S)

1. This order shall dispose of the instant two petitions, as, these are seeking the quashing of common FIR No. 508 of 08.06.2019 (Annexure P-1), registered at Police Station City Thanesar, District Kurukshetra, constituting therein offences, under Sections 406 / 420 of the IPC, and, also of all the subsequent proceedings arising therefrom, on the basis of compromise.

2. It is averred in the petition that one of the accused, namely, Jasvir Singh s/o Balkar Singh, has died during the course of investigation.

3. When the instant petitions came up for hearing respectively on 25.02.2021, and, on 26.03.2021, this Court made a direction upon the Illaqa Magistrate concerned, to make a report with respect to the genuineness of the compromise (P-3), and, also to verify whether there is any other person involved in the occurrence, who is not a party to the present petition(s) and whose consent for the compromise would be required.

4. The afore orders make it apparent that the petitioner(s) had depended, upon, a compromise/settlement, arrived at, in respect of the FIR (supra) with the complainant-respondent No. 2 / Ranjit Singh.

5. The afore made orders by this Court on 25.02.2021, and, on 26.03.2021, have been complied with by the learned Illaqa Magistrate concerned, and, the elicited reports have been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement / compromise, arrived at *inter se* the petitioner(s), and, respondent No. 2, is a sequel of both, being *ad idem qua* it, besides the compromise / settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported, that the settlement / compromise, depended upon by the petitioner(s), for seeking quashing of the FIR (supra), is both voluntary, and, genuine.

6. The learned counsel for the parties also stated at the Bar, before this Court, that all the concerned have signed the compromise deed. It is further stated that the alleged embezzlements, and, the consequent therewith wrongful losses, and, wrongful gains to the concerned, rather being not with respect to funds occurring in the Govt. Treasury concerned.

7. Since, the offences carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused-petitioner(s), and, the respondent – complainant, besides when the learned State Counsel has stated that the case is still under investigation. Therefore, this Court deems it fit to allow the petitions.

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8. Consequently, the present petitions are allowed, and, the FIR (supra), and, also all subsequent proceedings arising therefrom, are quashed, *qua* the petitioner(s).

9. The pending miscellaneous application(s), if any, and, IOIN, as, made in CRM-M-4199-2020, also, stand(s) disposed of.

April 27, 2022
'dk kamra'

(SURESHWAR THAKUR)
JUDGE

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>