

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

CRM-M-3903-2021 (O&M)

Date of Decision:-22.04.2022

KRISHAN KUMAR

... Petitioners

Versus

STATE OF HARYANA AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Nonish Kumar, Advocate
for the petitioner.

Ms. Harpreet Kaur, AAG, Haryana.

Mr. Vijay Partap Singh, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

CRM-14042-2022

For the reasons mentioned in the application, the same is
allowed and the main case is taken on board today itself.

Main Case

Present petition is for quashing of FIR No.343 dated 5.8.2020
registered under Sections 406, 420 IPC at Police Station Sector 32-33,

Karnal District Karnal on the basis of compromise dated 2.12.2020 (Annexure P-2) along with other consequential proceedings arising thereto.

The above stated FIR in this case was registered on the basis of the basis of complaint lodged by respondent No.2-Sultan Singh, in which, he alleged that the petitioner and one another person committed fraud against him.

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 effected between the parties.

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, Karnal 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 parties 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 aforestated 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.343 dated 5.8.2020 registered under Sections 406, 420 IPC at Police Station Sector 32-33 District Karnal on the basis of compromise dated 2.12.2020 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

22.04.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No