

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

CRM-M-7612-2019 (O&M)
Date of Decision:-20.12.2022

Surender Mahlawat

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Yashdeep Nain, Advocate for the petitioners.

Mr. Rajiv Sidhu, DAG, Haryana.

None for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

CRM-48258-2022

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 18.4.2023 and is taken on board today.

CRM-M-7612-2019 (Main Case)

1. The petitioner seeks quashing of FIR No.74, dated 28.12.2016, Police Station GRP, Chandigarh, under Sections 406, 420, 467, 468, 471, 120-B and 34 of Indian Penal Code (Annexure P-1) as well as report under Section 173 Cr.P.C. (Annexure P-2) and all subsequent proceedings emanating therefrom on the basis of a compromise effected between the parties.
2. Vide order dated 20.2.2019, 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 Chief Judicial Magistrate, Panchkula has been received, wherein it has been reported that statements of petitioner/accused Surender Mahlawat and also of respondent No.2/complainant namely Zoom Car Indian Private Limited through its authorized representative namely Parshant Sharma have been recorded to the effect that they have compromised the matter amongst themselves.
4. Respondent No.2/complainant namely Zoom Car Indian Private Limited through its authorized representative namely Parshant Sharma in his statement has stated he has received an amount of Rs.3.75 lakhs through bank draft from the petitioner that he has no objection in case the FIR in question is quashed.
5. Learned Chief Judicial Magistrate, Panchkula 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.74, dated 28.12.2016, Police Station GRP, Chandigarh, under Sections 406, 420, 467, 468, 471, 120-B and 34 of Indian Penal Code (Annexure P-1) as well as report under Section 173 Cr.P.C. (Annexure P-2) and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

20.12.2022

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No