

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

CRM-M-12448-2021

Date of Decision: 24.08.2022

VIKRAM VASHIST AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present: None for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG Haryana.

Mr. Digvijay Nehra, Advocate
for respondent No. 2.

PANKAJ JAIN J. (Oral)

By way of present petition, the petitioners are seeking quashing of FIR No.343 dated 01.06.2016 registered under Sections 420, 406, 323, 506 and 120-B IPC at Police Station Saran, District Faridabad, on the basis of compromise dated 17.02.2020 (Annexure P-2).

Vide order dated 01.02.2022, passed by a Co-ordinate Bench of this Court, the parties were directed to appear before the trial Court and get their statements recorded with regard to the compromise arrived at between them. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness of the compromise.

Pursuant to the aforesaid order, report from Judicial Magistrate Ist

Class, Faridabad, has been received, which is taken on record. As per the report, the trial Court has recorded as follows:

'1	<i>Number of persons arrayed as accused in the FIR;</i>	<i>There are two accused namely Monu@ devrath and Vikram Vashisth in the FIR</i>
'2	<i>Whether any accused is declared as proclaimed offender;</i>	<i>As per the statement of IO, no accused is proclaimed absconder in the present case.</i>
'3	<i>Whether all the parties named in the FIR have made their statements regarding the compromise;</i>	<i>Yes</i>
'4	<i>Whether the compromise is genuine, voluntary and without any coercive or undue influence;</i>	<i>Parties were examined qua the genuineness and voluntariness of the compromise to which they replied in affirmative. The compromise between the parties is prima facie genuine.</i>
'5	<i>Whether the accused persons are involved in any other case or not;</i>	<i>As per the statement of IO, No other FIR registered accused Monu @ Devrath and Vikram Vashisth.</i>
6	<i>Current stage of the case.</i>	<i>Dws</i>

Mr. Digvijay Nehra, Advocate appears for respondent No.2, admits the fact of parties having compromised and states that he has no objection in case the FIR and all proceedings subsequent thereto against the petitioners are quashed.

Reply on behalf of State has been filed and the same is taken on record. Similarly, learned Assistant Advocate General, Haryana has stated no objection in case the FIR is quashed based upon the compromise dated 17.02.2020 (Annexure P-2).

Keeping in view the fact that offences punishable under Sections 420, 406, 323, 506 and 120-B IPC under which the petitioners have been

booked are compoundable and compromise has been effected, the present petition is allowed. FIR No. 343 dated 01.06.2016 registered under Sections 420, 406, 323, 506 and 120-B IPC at Police Station Saran, District Faridabad and all proceedings subsequent thereto are hereby quashed qua the petitioners.

24.08.2022
Ajay Goswami

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No