

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

**CRM-M-50727-2018
DECIDED ON: 30.09.2022**

SHYAM SUNDER

.....PETITIONER

VERSUS

STATE OF HARYANA & ANR

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Mohit Malik, Advocate
for the petitioner.

Mr. Chetan Sharma, AAG, Haryana.

Mr. Aakash Juneja, Advocate
for respondent No.2.

SANDEEP MOUDGIL, J (ORAL)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.777, dated 15.11.2015, under Section 420, 467, 468 of the IPC, registered at Police Station City Yamuna Nagar, Haryana (Annexure P-1), on the basis of settlement agreement dated 18.12.2018, passed by Mediator, Mediation and Conciliation Centre of this Court.

Learned counsel for the petitioner submits that the parties have amicably settled the matter before the Mediation and Conciliation Centre of this Court vide settlement agreement dated 18.12.2018. Clauses (b) to (e) in Para 7 of the said agreement dated 18.12.2018 read as follows:-

“ b) Both the parties agree that they have already withdrawn their Civil and Criminal cases earlier filed against each other. No other Civil or Criminal case except the FIR in question is pending. Both the parties undertake not to file any fresh claim/suit/complaint against each other in future and if any such claim/suit/complaint is pending which is not to the

knowledge of the other party, the filing party agrees/undertakes to withdraw the same immediately and unconditionally.

c) Both the parties further undertake that all the matters between them have been settled amicably and now there is no dispute or claim towards each other.

d) It is further agreed between the parties that first party/petitioner has now no concern with any property and business of second party/respondent No.2 and his sons including the factory at Saharanpur (U.P.).

e) That the second party/respondent No.2 agrees not to prosecute the pending trial based on above-said FIR and has no objection if the same is quashed by this Hon'ble Court in the present proceedings. He agrees and undertakes to make an oral/written statement before this Hon'ble Court for this purpose, if the need be.”

The said fact has not been controverted by learned State counsel as well as counsel for the complainant.

In view of the above, FIR No.777, dated 15.11.2015 (Annexure P-1) and all subsequent proceedings arising therefrom are quashed, in view of the above stated terms and conditions of the settlement agreement dated 18.12.2018.

The present petition is allowed in the aforesaid terms.

(SANDEEP MOUDGIL)
JUDGE

30.09.2022

Poonam Negi

Whether speaking/reasoned *Yes/No*
Whether reportable *Yes/No*