

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

CRM-M-3269-2023
Decided on : 17.03.2023

Rumalo Devi and another

..... Petitioners

Versus

State of Haryana & another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Singla, Advocate
for the petitioners.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Manish Deswal, Advocate
for respondent No.2.

Manjari Nehru Kaul, J.

The instant petition has been filed under Section 482 Cr.PC for quashing of private complaint and setting aside the impugned judgment of conviction and order of sentence dated 05/06.10.2016 passed by Addl. CJM, Yamuna Nagar at Jagadhri in Criminal complaint No.469-1 vide CIS No.30640/2013 filed by respondent No.2 under Sections 420, 467, 468, 471 and 129-B IPC and all the consequential proceedings arising out of the same, on the basis of compromise deed (Annexure P-5) arrived at, between the parties.

Learned counsel for the petitioners submits that the parties have arrived at an amicable settlement subsequent to the conviction of the petitioners vide Annexure P-2 and hence, continuation of further

proceedings would be a futile exercise. Therefore, the impugned judgment of conviction be quashed. In support of his submissions, he has placed reliance upon judgment of the Hon'ble Supreme Court in *Ramgopal and another vs. State of Madhya Pradesh, 2021(4) RCR (Crl.) 322*, and this Court in *Sube Singh and another Vs. State of Haryana and another, 2013 (4) RCR (Criminal) 102*.

Learned counsel appearing for respondent No.2 does not dispute the submissions made by counsel opposite and the factum of compromise having been indeed arrived at between the parties. He does not also oppose the prayer made by counsel opposite for quashing of judgment of conviction.

Vide order dated 20.01.2023 of this Court, the parties were directed to appear before the learned Addl. Sessions Judge, Jagadhri on 17.02.2023 to get their statements recorded regarding the compromise arrived at, between them.

Report dated 20.02.2023 has since been received from the learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri in pursuance to the direction of this Court. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made a statement to the effect that he would have no objection if the FIR qua the petitioners is quashed. The learned Additional Sessions Judge, Jagadhri has annexed the photocopies of the statements of the parties alongwith his report.

Learned State counsel also submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned Addl. Sessions Judge, Yamuna Nagar at Jagadhri and the principles laid down by the Apex Court in *Ramgopal and another vs. State of Madhya Pradesh, 2021(4) RCR (Crl.) 322*, and also by this Court in *Sube Singh and another Vs. State of Haryana and another, 2013 (4) RCR (Criminal) 102*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising therefrom including judgment of conviction and order of sentence dated 05/06.10.2016 passed by learned Addl. Chief Judicial Magistrate, Yamuna Nagar at Jagadhari are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

17.03.2023

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Whether speaking/reasoned:
Whether reportable :

Yes/No
Yes/No