

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 252

CRM-M-14428-2021

Date of decision : 19.01.2023

Krishan Kumar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Savita Rana, Advocate, for
Mr.Shalender Rana, Advocate, for the petitioner.

Mr.Rajiv Sidhu, DAG, Haryana.

Mr.Manoj Pundir, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.88 dated 05.06.2020 registered under Sections 406, 420 IPC and Section 24 of Emigration Act, 1983 (Section 370 IPC added later on) at Police Station Nighdu, District Karnal and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 04.07.2020 (Annexure P-2) entered into between the parties.

On 31.03.2021 this Court had directed the parties to appear before the Trial Court/Duty Magistrate for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the genuineness and voluntary nature of the compromise.

As directed, report dated 03.05.2021 from the Judicial Magistrate Ist Class, Karnal has been received as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the compromise is genuine and has been executed voluntarily and out of free will of the parties.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.88 dated 05.06.2020 registered under Sections 406, 420 IPC and Section 24 of Emigration Act, 1983 (Section 370 IPC added later on) at Police Station Nighdu, District Karnal and all proceedings arising therefrom qua the petitioner.

19.01.2023
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[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No