

261 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-13206-2023

DATE OF DECISION:-27.04.2023

Pritam Singh

...Petitioner.

vs.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Dhruv Mittal, Advocate for the petitioner.

Mr. R.K. Ambavta, AAG, Haryana

Mr. Shivansh Malik, Advocate for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.332, dated 24.08.2021, under Sections 406, 420, 506 and 34 IPC and Sections 467, 468 IPC (added later on), registered at Police Station Nissing, District Karnal (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. As per the allegations in the FIR, the petitioner along with his co-accused cheated the complainant for a sum of Rs.3 lakhs on the pretext of securing government job for his son in Public Health Department and when the petitioner could not secure government job for his son, he demanded his money back, upon which, the petitioner extended threats to him.

3. In pursuance to order dated 17.03.2023 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regards the veracity of compromise arrived at

between them, a report dated 18.04.2023 has been received from the concerned court, stating that there are two accused, namely, Pritam Singh son of Karnail Singh and Ram Gopal son of Surajbhan and none of them is proclaimed offender. The compromise between the parties is genuine, voluntary, without any undue influence.

4. Though, there are two accused in the present case, however, the FIR qua Ram Gopal @ Gopi Ram Sharma already stands quashed by this Court vide order dated 16.03.2022 passed in a separate petition bearing CRM-M-48733-2021.

5. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

6. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of*

Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.

7. Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in ***Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589*** and this Court in ***Joginder Singh & another Vs. State of Punjab and another***, passed in CRM-M-23739- 2010 decided on 27.04.2011, ***Rajinder Singh Vs. State of Punjab & another***, passed in CRM-M- 37395-2016 decided on 16.05.2017 and ***Vimal Kalra & others Vs. State of Punjab & another***, passed in CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

8. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.332, dated 24.08.2021, under Sections 406, 420, 506 and 34 IPC and Sections 467, 468 IPC (added later on), registered at Police Station Nissing, District Karnal (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

9. Accordingly, petition stands allowed subject to payment of costs of Rs.2,000/- to be deposited with the Punjab and Haryana High Court Bar Clerk's Association, within a period of two weeks from today.

27.04.2023

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(HARKESH MANUJA)

JUDGE

whether speaking/reasoned: Yes/No

whether reportable: Yes/No