

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

243

CRM-M-18535-2023
Date of decision: 21.07.2023

Hardeep Singh ...Petitioner
Versus
State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Kamaldeep Singh Redhu, Advocate
for the petitioner.

Mr. Ramender Singh Chauhan, AAG, Haryana.

Mr. Sunil Goswami, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (ORAL)

1. The instant petition has been filed under Section 482 of the Cr.P.C. for quashing of FIR No.199 dated 05.04.2021 (Annexure P-1) registered under Sections 120-B, 406, 420, 467, 468 and 471 of the Indian Penal Code, 1860 at Police Station Karnal Civil Lines, District Karnal and all consequential proceedings arising therefrom on the basis of compromise dated 24.03.2023 (Annexure P-3) arrived between the parties.
2. Counsel for the petitioner submits that the FIR is the result of alleged tampering of a negotiable instrument issued by the complainant. He submits that the criminal case was filed because of a financial dispute between the parties, which has been amicably settled by compromise (Annexure P-3) and the parties have recorded their statements in support thereof before the trial Court.
3. Heard counsel for the parties.

4. In deference to order dated 17.04.2023 passed by this Court, report has been received from the trial Court and its relevant extract is as under:

"4. The Hon'ble Punjab & Haryana High Court also sought following information:

a. Number of persons arrayed as accused in FIR.

Ans. As per statement of ASI Rajesh, Belt No.1009, Police Station Civil Lines, Karnal, FIR was registered against two persons named Hardeep Singh & Iqbal Singh. However, charge-sheet was filed only against accused Hardeep Singh.

b. Whether any accused is proclaimed offender.

Ans. As per statement of ASI Rajesh, Belt No. 1009, Police Station Civil Lines, Karnal, no one accused has been declared proclaimed offender.

c. Whether the compromise is genuine, voluntary and without any coercion or undue influence.

Ans. As per the statement of both parties, it appears that compromise is genuine, voluntary & without any coercion or undue influence.

d. Whether the accused persons are involved in any other case or not.

Ans. As per statement of ASI Rajesh, Belt No.1009, Police Station Civil Lines, Karnal, accused are not involved in any other FIR.

e. Current stage of the case.

Ans. The case is fixed for arguments on charge."

5. Keeping in view the above development, report of the Trial Court and the judgments of Supreme Court in ***B.S. Joshi and others Versus State of Haryana and another (2003) 2 RCR (Criminal) 888*** and ***Narinder Singh Versus State of Punjab (2014) 6 SCC 466*** this Court is of the opinion that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a peaceful and harmonious life.

6. Accordingly, petition is allowed. FIR No.199 dated 05.04.2021

(Annexure P-1) registered under Sections 120-B, 406, 420, 467, 468 and 471 of the Indian Penal Code, 1860 at Police Station Karnal Civil Lines, District Karnal, along with all subsequent proceedings arising therefrom, is quashed qua the petitioner.

21.07.2023
Parveen kumar

(SUVIR SEHGAL)
JUDGE

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