

249 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-18552-2022
DATE OF DECISION:-07.02.2023

Narender and others

...Petitioners.

vs.

State of Haryana and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Susheel Gautam, Advocate,
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Dhanpat Rai Singla, Advocate for
Mr. Ashwani Yadav, Advocate,
for respondents No.2 to 28.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.328 dated 12.08.2016, under Sections 406, 420, 467, 468, 471, 120-B IPC (Section 171 IPC added later on), registered at Police Station Gannaur, District Sonipat along with all consequential proceedings arising out of the same on the basis of compromise dated 08.12.2021 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners cheated the complainant for a sum of Rs.3 lakhs on the pretext of giving appointment in CISF. Even, the petitioners also cheated many other persons, who are respondents No.3 to 28 herein.

3. In pursuance to an order dated 04.05.2022 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 the compromise arrived at between them, a report dated 23.05.2022 has been received from the concerned court stating that the compromise seems to be genuine, voluntary and without any coercion or undue influence. It also finds mentioned in the report that there are only four accused i.e. the present petitioners and none of them has been declared as PO. There is only one complainant, namely, Keshav and remaining respondents No.3 to 28 are effected person and their joint statement has also been recorded.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.2 to 28 have no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. 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.

5. 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 directions issued by this 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.*

6. 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, FIR No.328 dated 12.08.2016, under Sections 406, 420, 467, 468, 471, 120-B IPC (Section 171 IPC added later on), registered at Police Station Gannaur, District Sonipat as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.20,000/- by the petitioners within a period of two weeks from today before the Bar Clerks Association, Punjab and Haryana High Court, Chandigarh.

07.02.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No