

236 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22071-2022

DATE OF DECISION:-09.01.2023

Mahavir Singh

...Petitioner.

vs.

State of Haryana and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Shiv C. Bhola, Advocate for the petitioner.

Mr. Vijesh Sharma, Additional Advocate General, Haryana.

None 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.437 dated 26.12.2019, under Section 120-B, 420, 467, 468 and 471 IPC, registered at Police Station Kharkhoda, District Sonipat (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise deed dated 17.02.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner got transferred mutation in his name by forging false death certificate of Surjit, who was grandfather of the complainant.

3. In pursuance to an order dated 20.05.2022 passed by this Court, whereby the parties were directed to appear before the trial court for getting their statements recorded as regard the veracity of the compromise arrived at

between them, report dated 20.10.2022 has been received from the concerned court, stating that the parties voluntarily entered into compromise without any kind of pressure, fear, coercion and greed. There is no other accused except the petitioner. No accused has been declared proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature and 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 has 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. Since the parties have arrived at a compromise, in order to live in peace, 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 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.***

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, the FIR No.437 dated 26.12.2019, under Section 120-B, 420, 467, 468 and 471 IPC, registered at Police Station Kharkhoda, District Sonipat (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

7. Petition stands disposed of .

09.01.2023
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(HARKESH MANUJA)
JUDGE

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