

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

277

CRM-M-26651-2023

Date of Decision:18.09.2023

Vijay Arora and Another

.....Petitioners

Vs.

State of Haryana and Another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.300 dated 21.11.2014 registered under Sections 420, 406, 506, 120-B of the IPC (Sections 467, 468, 471 of the IPC deleted later on) registered at Police Station Sector-31, District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise dated 16.05.2023 (Annexure P-4).

2. Petitioners contend that they have been convicted by Trial Court vide judgment dated 19.11.2019 and order of sentence dated 21.11.2019 under Sections 420 & 120-B of the IPC and sentence to undergo maximum rigorous imprisonment for 3 years in addition to fine of ₹5,000/- with default sentence.

3. Learned counsel has referred to ***“Ramgopal and another v. State of Madhya Pradesh”*** 2021 SCC Online SC 834, to contend that criminal proceedings involving non-heinous offences or where offences are

CRM-M-26651-2023

pre-dominantly of a private nature, can be annulled irrespective of the fact that trial has been concluded and appeal stands dismissed against conviction, under extraordinary powers enjoined upon the High Court under Section 482 Cr.P.C.

4. This Court vide order dated 25.05.2023 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

5. Pursuant to the aforesaid order, parties have appeared before Learned Additional Sessions Judge and got their statements recorded. On the basis of the statements so recorded, Learned Additional Sessions Judge has submitted report dated 23.08.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

6. Nobody is appearing on behalf of parties as lawyers are abstaining from work.

7. Since statement of parties with regard to compromise have already been recorded as per report received from Court concerned, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

8. Consequent to the aforesaid facts and circumstances and having regard to the legal position as explained in Ramgopal's case (*supra*), the impugned judgment of conviction and order of sentence, are hereby set aside on account of the compromise between the parties.

9. In view of the compromise between the parties, this petition is

CRM-M-26651-2023

allowed and F.I.R. No.300 dated 21.11.2014 registered under Sections 420, 406, 506, 120-B of the IPC (Sections 467, 468, 471 of the IPC deleted later on) registered at Police Station Sector-31, District Faridabad and all subsequent proceedings arising therefrom on the basis of compromise dated 16.05.2023 (Annexure P-4), are quashed qua the petitioners.

September 18, 2023

Neetika Tuteja

(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No