

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

235

CRM-M 41210 of 2021
Date of Decision: 10.02.2023

Mangat Ram & Ors.

.....*Petitioners*

Versus

State of Haryana and Anr.

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH.

Present: Mr. Tarun Seth, Advocate for
Mr. VB Godara, Advocate
for the petitioners.
Mr. R.S. Nain, DAG, Haryana.

Mr. Abhishek Arora, Advocate for respondent No. 2.

GURBIR SINGH, J (ORAL)

Petitioners have filed this petition under Section 482 Cr.P.C. for quashing of FIR No.419 dated 23.08.2013 under Sections 420, 466, 467, 468, 506 and 120-B IPC, registered at Police Station Sadar, Fatehabad, Tehsil and District Fatehabad, and all other consequential proceedings arising out of the said FIR, as the matter stands amicably settled in terms of compromise deed dated 01.09.2021 (Annexure P-2).

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

During the course of preliminary hearing, the trial Court was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise by this Court.

In compliance thereof, report from learned Chief Judicial Magistrate, Fatehabad, has been received through District and Sessions Judge, Fatehabad, with statements of parties, in which, it has been

mentioned that the compromise is genuine and valid and outcome of free consent of the parties and is without coercion from any quarter.

The powers under Section 482 Cr. P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052 and “Gian Singh Versus State of Punjab and another”, 2012(4) RCR (Criminal) 543.

In view of aforesaid report of the learned Chief Judicial Magistrate, Fatehabad, accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.419 dated 23.08.2013 under Sections 420, 466, 467, 468, 506 and 120-B IPC, registered at Police Station Sadar, Fatehabad, Tehsil and District Fatehabad, and all subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise, qua the petitioners only.

Learned counsel for the petitioner states that order dated 24.11.2021 has not been complied with.

It is ordered that a sum of Rs.10,000/- as cost of litigation be deposited with the learned Appellate Court and thereafter said Court shall inform the concerned Police Station regarding quashing of the FIR.

(GURBIR SINGH)
JUDGE

10.02.2023
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No