

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-38144-2023

Date of decision: 31.08.2023

Rajiv Walia

....Petitioner.

Versus

State of Haryana and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Poorva Gupta, Advocate,
for Mr. Akshit Aggarwal, Advocate,
for the petitioner.

Ms. Aditi Girdhar, AAG, Haryana.

Mr. mahi Pal Yadav, advocate, for respondent No. 2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 149 dated 18.11.2009 under Sections 170, 406, 420, 467, 468 and 471 IPC, registered at Police Station Partap Nagar, District Yamunanagar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26.07.2023 (Annexure P-2).

[2]. Learned counsel for the petitioner has placed on record copy of the order dated 15.03.2023 passed in **CRM-M-60605-2022 (Deep Chand vs. State of Haryana and another)** vide which FIR in question (Annexure P-1) *qua* Deep Chand, who is the co-accused of the present petitioner, has already been quashed.

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[3] With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 26.07.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties.

[4] Learned Sub Divisional Judicial Magistrate, Sub Division, Bilaspur, District Yamuna Nagar, vide report dated 23.08.2023 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

[5]. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

[6]. In view of the aforesaid report of the learned Sub Divisional Judicial Magistrate, Sub Division, Bilaspur, District Yamunanagar and in view of the decision of the Hon'ble Supreme Court in "Gian Singh Vs. State of Punjab and another", 2012(4) RCR (Criminal) 543 and "Narinder Singh and Others Vs. State of Punjab and Another", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/ accused person.

[7]. In the circumstances, the present petition is allowed. FIR No. 149 dated 18.11.2009 under Sections 170, 406, 420, 467, 468 and 471 IPC, registered at Police Station Partap Nagar, District Yamunanagar

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(Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 26.07.2023 (Annexure P-2) are hereby quashed qua the present petitioner.

(SANJIV BERRY)
JUDGE

31.08.2023
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |