

DEVENDER SINGH AND OTHERS

...Petitioners

Vs.

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: Mr. G.S. Sandhu, Advocate for the petitioners.

Ms. Gaganpreet Kaur, DAG, Haryana.

Mr. Dinesh Maurya, Advocate for respondent No.2.

SANJIV BERRY, J. (Oral)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioners seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of affidavit/compromise dated 26.11.2022 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
0128	19.06.2018	406 and 420-B IPC (Sections 120-B and 34 IPC added later on)	Bond Kalan, District Charkhi Dadri.

[2]. The parties have arrived at a settlement vide affidavit/compromise dated 26.11.2022 (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. The Chief Judicial Magistrate, Charkhi Dadri, vide report dated 29.08.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. The petitioner has also deposited the cost of Rs.10,000/- with the Poor Patients Welfare Fund, PGIMER, Chandigarh, in compliance of the order dated 11.08.2023 passed by this Court.

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

[4]. In view of the report of the Chief Judicial Magistrate, Charkhi Dadri, 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 the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners.

[5]. In the circumstances, the present petition is allowed. FIR No. 0128 dated 19.06.2018 under Sections 406 and 420-B IPC (Sections 120-B and 34 IPC added later on) registered at Police Station Bond Kalan, District Charkhi Dadri (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise *qua* the present petitioners.

(SANJIV BERRY)
(JUDGE)

01.09.2023

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