

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-40556-2023
Date of decision: 21.09.2023

PANKAJ GARGPetitioner

Versus

STATE OF HARYANA AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Omkar Chauhan, Advocate for
Mr. Namit Khurana, Advocate for the petitioner.

Mr. Vishal Malik, Deputy Advocate General, Haryana.

Mr. Sandeep Sharma, 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, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 29.07.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
142	13.05.2023	420, 406, 506 and 34 of IPC and Section 24 of Immigration Act.	Chappar, District Yamuna Nagar

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 29.07.2023 (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. A copy of Receipt of costs

CRM-M-40556-2023

2

of Rs. 10,000/- has been placed on record in compliance of the order dated 18.08.2023.

3. Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhari, vide report dated 08.09.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

4. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

5. In view of the report of the Judicial Magistrate Ist Class, Yamuna Nagar at Jagadhari, 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 petitioners/ accused persons.

6. In the circumstances, the present petition is allowed. FIR No. 142 dated 13.05.2023, under Sections 420, 406, 506 and 34 of IPC and Section 24 of Immigration Act, registered at Police Station Chappar, District Yamuna Nagar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

21.09.2023

kanika

i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No