

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 237

CRM-M-36544-2019

Date of decision : 11.01.2023

Sharwan Kumar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Govind Chauhan, Advocate, for the petitioner.

Mr.Rajiv Sidhu, DAG, Haryana.

Mr.Vishal Pundir, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.82 dated 07.02.2019 registered under Sections 406, 420, 506 IPC and Section 24(1)(g) of the Emigration Act, 1983 at Police Station Butana, District Karnal on the basis of a compromise dated 01.08.2019 (Annexure P-2) entered into between the parties.

On 10.12.2019/06.02.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the genuineness of the compromise and as to whether the same has been effected between the parties without any undue influence or coercion.

As directed, report dated 03.03.2020 from the Judicial Magistrate Ist Class, Karnal has been received, as per which the parties had recorded their statements before the Trial Court in terms of the compromise arrived at between them; the compromise has been effected with the free volition of the parties and that the same is not the result of any undue influence or coercion.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *Narinder Singh vs State of Punjab* (2014) 6 SCC 466, this Court deems it just and proper to allow the petition and resultantly quash FIR No.82 dated 07.02.2019 registered under Sections 406, 420, 506 IPC and Section 24(1)(g) of the Emigration Act, 1983 at Police Station Butana, District Karnal and all proceedings arising therefrom qua the petitioner.

11.01.2023
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[DEEPAK SIBAL]
JUDGE

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