

**253 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-45099-2022

Date of Decision: January 18, 2023

JANGIR SINGH

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Naveen Kumar, Advocate for
Mr. Vivek Khatri, Advocate for the petitioner.

Mr. Ramesh Kumar Ambavta, Addl. AG, Haryana.
Mr. Dharampal, Advocate for respondent Nos.2 and 3

HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioner prays for quashing FIR No.108, dated 09.08.2018, under Sections 406, 420 IPC, registered at Police Station Dhand, District Kaithal, (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of the compromise dated 15.01.2020 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner committed a fraud against complainant by duping him of Rs.3,00,000/- on the pretext of sending him to a foreign country.

3. In pursuance to an order dated 28.09.2022 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 03.01.2023 has been received from the concerned Court, stating that the compromise in the present case is valid, genuine, voluntary and without any coercion or

undue influence. There is no other accused except the present petitioner and there is one complainant namely, Sawan Taya. No accused has been declared as proclaimed offender.

4. Learned counsel for the petitioner submits that once, a compromise has been arrived at between the parties without any pressure and respondent Nos.2 and 3 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5 On the other hand, learned State counsel submits that allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 03.01.2023. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the directions issued by this Court in ***Kulwinder Singh & Ors. Vs. State***

of Punjab 2007(3) RCR(Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543”

7. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.108, dated 09.08.2018, under Sections 406, 420 IPC along with all consequential proceedings arising therefrom, are hereby quashed.

8. Accordingly, petition stands allowed but subject to deposit of a sum of Rs.10,000/- by the petitioner within a period of two weeks from today in the following account:-

Account name: Punjab and Haryana high court
Association Lawyer’s Welfare Fund
Account No: 41564846387
Bank Name: S.B.I. High Court Branch.

18.01.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>