

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-40136-2019

Date of Decision:-24.03.2023

M/s Pal Infrastructure and Developers(P) Ltd. & Ors.

.....Petitioners.

Vs.

State of Haryana & Anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Manish Soni, Advocate for the Petitioners.

Mr. Neeraj Poswal, Assistant Advocate General, Haryana.

Mr. Neeraj Januha, Advocate for
Mr. Dharamvir Singh, Advocate for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.114 dated 06.04.2015 (Annexure P-1) under Sections 406, 420, 120-B IPC registered at Police Station Bhupani, Faridabad, District Faridabad and all consequential proceedings arising therefrom on the basis of affidavit (Annexure P-3) sworn by the complainant/respondent no.2 as well as compromise/settlement (Annexur P-2) arrived at between the parties.

Vide order dated 19.09.2019 this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 19.09.2019 with regard to the compromise in the shape of affidavit (Annexure P-3) sworn by the complainant/respondent no.2 as well as compromise/settlement (Annexur P-2).

In terms of the order dated 19.09.2019 passed by this Court parties have appeared before the court of Ms. Sonia, Judicial Magistrate, Ist Class, Faridabad and as per report dated 07.12.2019 submitted to this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the 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.*

In view of the aforesaid report of the learned Judicial Magistrate Ist Class, Faridabad, accompanied by statements of both the parties, the FIR No.114 dated 06.04.2015 (Annexure P-1) under Sections 406, 420, 120-B IPC registered at Police Station Bhupani, Faridabad, District Faridabad and all consequential proceedings arising therefrom are hereby quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 24, 2023
Vinay

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