

251 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-51333-2022
DATE OF DECISION:-14.02.2023

Kulwinder Singh and another ...Petitioners.

vs.

State of Haryana and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vishal Sharma Haritwal, Advocate,
for the petitioners.

Mr. Ramesh Kumar Ambavta, AAG, Haryana.

Mr. Tapish Kumar Gupta, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0124 dated 14.07.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Cheeka, District Kaithal along with all consequential proceedings arising out of the same, on the basis of compromise dated 29.08.2022 (Annexure P-2).

2. Allegations in the FIR relate to forgery having been committed for the purpose of execution of agreement to sell pertaining to the land owned by the complainant.

3. In pursuance to an order dated 07.11.2022 passed by this Court,

whereby the parties were directed to appear before the trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 30.11.2022 has been received from the concerned court stating that compromise/settlement is genuine and is not result of any pressure or coercion in any manner. There are no other accused except the present petitioners. No accused has been declared as PO and no other case is pending against them.

4. Once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. Even otherwise, 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. 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.***

6. 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, FIR No.0124 dated 14.07.2015, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Cheeka, District Kaithal as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. It is relevant to mention here that there is some mistake in the translated version of the FIR, which has been appended as Annexure P-1 at pages 7 and 8 of the paper book, whereas, the vernacular of FIR appended at pages 16 to 20 is the correct version, which shall be considered as the correct annexure for the purposes of adjudication of the present petition.

8. Learned counsel for the petitioners undertakes to file the correct translated copy of FIR in question within a period of 7 days from today and the registry shall replace the same in the main paper book.

9. Accordingly, petition stands disposed of subject to payment of costs of Rs.20,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

14.02.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No