

274 IN THE HIGH COURT OF PUNJAB AND HARYANA
CHANDIGARH

CRM-M-49609-2023

Date of Decision: 11.12.2023

RAJPUT RANJEET JI SINGH AND ANOTHER

...Petitioners

V/S

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: None for the petitioners.

Mr. Vinod Bhardwaj, AAG Haryana.

None for respondent No.2

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 16 dated 11.05.2023 registered under Sections 384, 406 and 420 of Indian Penal Code at Police Station City Police Jhajjar, District Jhajjar and all subsequent proceedings arising therefrom in view of the compromise dated 12.09.2023 (Annexure P-2).

2. The FIR registered on the statement of complainant/respondent No. 2 on the allegations that she was cheated by Neerav and Sanjay on the pretext of investing money in the share market and she invested an amount of Rs. 25,00,000/- but did not get back the same. During investigation, name of the petitioners came out and they were arrested in the present case. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaqa Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report dated 03.11.2023 has been received from Civil Judge (Sr. Divn.)-cum-ACJM, Jhajjar stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned Assistant Advocate General, Haryana on instructions from the Investigating Officer admitted the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

5. I have heard learned counsel for the State and have gone through the record with their able assistance.

6. The parties have arrived at a compromise and settled their dispute. A compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak. A two Judge Bench of the Hon'ble Supreme Court in ***Shakunta Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

7. A perusal of the report sent by learned Civil Judge (Sr. Divn.),

Jhajjar indicates that respondent No. 2, who is the complainant in the present FIR has made the statement in terms of the compromise effected between the parties.

8. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466 and Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834* and Full Bench of this Court in *Kulwinder Singh Vs. State of Punjab 2007 (3) RCR (Crl.) 1052*, this petition is allowed and FIR No. 16 dated 11.05.2023 registered under Sections 384, 406 and 420 of Indian Penal Code at Police Station City Police Jhajjar, District Jhajjar and all subsequent proceedings arising out of the same are quashed qua the petitioners only.

11.12.2023

Manisha

(HARPREET SINGH BRAR)
JUDGE

Whether speaking/reasoned Yes/No
Whether reportable

Yes/No