

CRM-M-61727-2023 (O&M)

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101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-61727-2023 (O&M)
Date of decision : 19.12.2023

Vipul

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. Vikas Kumar Dhariwal, Advocate,
for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana,
for respondent No.1.

Mr. Amandeep Singh Rehal, Advocate,
for respondent No.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.0013 dated 01.12.2023 (P-2), under Sections 419, 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, along with all consequential proceedings arising therefrom on the basis of compromise dated 30.10.2023 (P-3), entered into between the parties i.e. petitioner as well as respondent No.2.

2. Above FIR was registered by respondent No.2-Aruna Sharma with the allegations that petitioner in connivance with other co-accused has cheated her on the pretext of selling a plot No.24 K DLF, Phase-II, Gurugram and misappropriated an amount of Rs.70,00,000/-.

3. Learned counsel for petitioner submits that matter has been amicably settled between the parties, i.e. petitioner as well as complainant/respondent No.2; hence, the aforesaid FIR along with consequential proceedings be quashed and set aside.

4. *Per contra*, learned State Counsel, while opposing the prayer, submits that petitioner has forged the revenue records in connivance with the officials of Sub-Registrar, Gurugram; hence, settlement if any between the parties cannot be a ground to quash the FIR, when allegations are serious in nature.

5. On the other hand, learned counsel for complainant/respondent No.2 also vehemently opposed the prayer of petitioner while submitting that there is no compromise between the parties; rather, three cheques handed over by the petitioner have already been dishonoured on account of insufficient funds.

6. Heard learned Counsel for the parties and perused the paper-book.

7. As per prosecution case, Gurpreet Singh @ Narpinder Jeet Singh along with petitioner forged his Aadhaar Card and fabricated revenue records with the help of officials from Sub-Registrar, Gurugram. Apart that, learned State counsel, on instructions, has produced a photocopy of bank statement indicating the transfer of Rs.70,00,000/- by the complainant for purchasing the plot in question, but during investigation, it transpired that

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Smt. Sanjokta Ralen wife of Prem Nath Ralen, resident No.House No.4, New Jeevan Vihar, Delhi, is the registered owner of the same.

8. Above all, as on today, complainant/respondent No.2 is specifically denying the compromise with the petitioner.

9. In view of the above, this Court is not inclined to accept the prayer of petitioner for quashing of the FIR in question along with consequential proceeding on the basis of alleged compromise. Consequently, there is no option except to dismiss the petition at this stage.

10. Needless to say that the observations, made herein-above, be not construed as an expression of opinion on the merits of case in any manner.

11. Pending application(s), if any, shall also stand disposed off.

19.12.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No