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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-1134-2024
Date of decision: 13.03.2024

DAVID

....PETITIONER

Versus

STATE OF HARYANA AND ANOTHER

....RESPONDENTS

CORAM:- HON'BLE MR. JUSTICE HARKESH MANUJA

Present: - Mr. Himanshu Joshi, Advocate for
Ms. Pallavi Babbar, Advocate
for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Kushager Goyal, Advocate
for respondent No.2.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No. 457, dated 30.09.2023, under Sections 406, 420 of IPC, registered at Police Station Badshahpur, District Gurugram (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 04.12.2023 (Annexure P-3).
2. As per the allegations levelled in the complaint, the petitioner cheated the complainant for a sum of Rs. 98,000/-.
3. In pursuance of order dated 10.01.2024 passed by this Court, whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, report dated 07.03.2024 has been received from the concerned Court, stating that the complainant has effected the

compromise with the accused person with his own free will and without any coercion or pressure from any corner and same is found genuine. No accused has been declared as proclaimed person.

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 complaint as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present complaint qua the petitioner. 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 complaint 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 complaint. The compromise in question is even 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.

6. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No. 457, dated 30.09.2023, under Sections 406, 420 of IPC, registered at Police Station Badshahpur,

District Gurugram as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited by the petitioner with the Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of two weeks from the date of receipt of certified copy of this order.

(HARKESH MANUJA)
JUDGE

13.03.2024
Anu

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |