

CRM-M-3513-2024

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-3513-2024

Date of Decision:-15.04.2024

Rahul Garg and Anr.

.....Petitioners

Versus

State of Haryana and ors.

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Lokesh Sharma, Advocate for the petitioners.

Mr. Brijesh Sharma, AAG, Haryana.

Mr. Saurabh Sharma, Advocate for respondents No.2 and 3.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No.45** dated **06.02.2022**, registered under Sections **406 and 420** of IPC, registered at Police Station **Rohtak Civil Lines, District Rohtak (Annexure P-1)** and subsequent proceeding arising therefrom on the basis of compromise dated 11.12.2023 (Annexures P-2 to P-4).

2. Keeping in view the fact that the parties entered into a settlement, the Coordinate Bench of this Court vide order dated **23.01.2024** directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated **21.02.2024** has been received from **Additional Chief Judicial Magistrate, Rohtak**, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

3. Learned State counsel and learned counsel appearing on behalf of respondents No.2 and 3-complainant admit the factum of compromise and submit that they have no objection in quashing of the FIR on that basis.

4. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases *Gian Singh v. State of Punjab and another* 2012(10) SCC 303 and *Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406 that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved the disputes among themselves in a *bona fide* manner.

5. Consequently, this petition is allowed. **FIR No.45** dated **06.02.2022**, registered under Sections **406** and **420** of IPC, registered at Police Station **Rohtak Civil Lines, District Rohtak (Annexure P-1)** and subsequent proceeding arising therefrom, are hereby quashed qua the petitioners subject to costs of Rs.**10,000/-** to be paid by each of the petitioner and Rs.**10,000/-** to be paid by respondents No.2 and 3(jointly) within a period of **two weeks** from today in the account of the **Poor Patients Welfare Fund, PGIMER, Chandigarh.**

(ALOK JAIN)
JUDGE

15.04.2024
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Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No