



IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

132+289

CRM-M-5854-2021(O&M)

Date of Decision: 21.08.2024

DHARMENDRA KUMAR @ DHARMENDER KUMAR ....Petitioner  
VERSUS  
STATE OF HARYANA AND ANOTHER ....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Sapan Dhir, Advocate for the petitioner.

Mr. Neeraj Poswal, AAG, Haryana.

Ms. Gunjan Mehta, Advocate for respondent no.2.

MANISHA BATRA, J. (Oral)

CRM-16372-2024

The application is allowed as prayed for.

CRM-16373-2024

The application has been filed for placing on record statements dated 14.03.2024 and order dated 14.03.2024 of learned Chief Judicial Magistrate, Fatehabad as Annexures A-1 & A-2 respectively.

For the reasons stated in the application, the same is allowed, subject to all just exceptions. Annexed documents with the application are ordered to be taken on record.

CRM-33922-2023

The application is allowed as prayed for.

CRM-33923-2024

The application has been filed for placing on record the affidavit dated 01.08.2023 of respondent no.2/complainant as Annexure P-3.



For the reasons stated in the application, the same is allowed, subject to all just exceptions. Annexed document with the application is ordered to be taken on record.

**Main Case**

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.135 dated 14.03.2020 under Sections 406, 420, 506, 120-B, 34 of IPC and Sections 3, 4, 5, & 6 of Prize Chits and Money Circulation Scheme (Banking) Act, 1978 registered at Police Station City Fatehabad District Fatehabad and all the subsequent proceedings arising therefrom, on the basis of agreement dated 30.01.2021 and compromise deed dated 02.02.2021 (Annexure P-2).

2. This Court vide order dated 15.02.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the Chief Judicial Magistrate, Fatehabad and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 18.03.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

4. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

5. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.



6. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon’ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.135 dated 14.03.2020 under Sections 406, 420, 506, 120-B, 34 of IPC and Sections 3, 4, 5, & 6 of Prize Chits and Money Circulation Scheme (Banking) Act, 1978 registered at Police Station City Fatehabad District Fatehabad and all subsequent proceedings arising therefrom on the basis of agreement dated 30.01.2021 and compromise deed dated 02.02.2021 (Annexure P-2) are quashed qua the petitioner.

21.08.2024  
Deepak Patwal

( MANISHA BATRA )  
JUDGE

- 1. Whether speaking/reasoned : Yes/No
- 2. Whether reportable : Yes/No