



115+295 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-29243-2024 and
CRM-32727-2024 in/and
CRM-M-5644-2024**
Date of Decision: 20.08.2024

Dharampal Singh and others ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Vrishank Suri, Advocate for the applicants-petitioners.

Ms. Kirandeep Kaur, Advocate for respondent No.2.

Mr. Gurmeet Singh, AAG, Haryana.

GURBIR SINGH, J. (ORAL)

CRM-29243-2024

This is an application for incorporating Section 204 of IPC in the head note as well as in the prayer clause of the main petition.

Notice in the application.

Mr. Gurmeet Singh, AAG, Haryana accepts notice on behalf of the State and Ms. Kirandeep Kaur, Advocate accepts notice on behalf of respondent No.2.

In view of the reasons, mentioned in the application, same is allowed. It is ordered to add Section 204 of IPC in the head note as well as in the prayer clause of the main petition. Registry is directed to do the needful.

CRM-32727-2024

This is an application for placing on record amended petition in terms of the previous order dated 10.07.2024 passed by this Court.

For the reasons recorded in the application, same is allowed and the amended petition is taken on record subject to all just exceptions.

Main petition

1. The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.19 dated 15.06.2023 under Section 420 of IPC, 1860 (Sections 419/467/468/471/204/120-B of IPC read with Section 10 of the Immigration Act were added later on) registered at Police Station Cyber Police Station, Rohtak District Rohtak (Annexure P-1) and all subsequent proceedings on the basis of compromise dated 07.01.2024 (Annexure P-2).
2. This Court, vide order dated 02.02.2024 had directed the parties to appear before the trial Court/Duty Magistrate to get their statements recorded and the learned Magistrate was directed to send the report qua the genuineness of the compromise.
3. In compliance thereof, report dated 19.03.2024 submitted by learned Judicial Magistrate Ist Class, Rohtak has been received through the District & Sessions Judge, Rohtak with statements of the parties, in which, it has been mentioned that the compromise is genuine and has been effected between the parties voluntarily, without any coercion or undue influence.
4. Learned counsel appearing on behalf of respondent No.2-complainant has not disputed the factum of compromise.
5. Learned State counsel submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR.
6. I have heard learned counsel for the parties and have gone through the record.
7. In a decision, based on compromise, none of the parties is a loser.

Rather, 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.

8. 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.19 dated 15.06.2023 under Section 420 of IPC, 1860 (Sections 419/467/468/471/204/120-B of IPC read with Section 10 of the Immigration Act were added later on) registered at Police Station Cyber Police Station, Rohtak District Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise dated 07.01.2024 (Annexure P-2).

20.08.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

Whether speaking/reasoned :Yes/No
Whether reportable :Yes/No