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2024:PHHC:011705

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH
CRM-M-21347-2022
Date of Decision:29.01.2024**

BIRBAL SHARMA

...Petitioner(s)

Vs.

**STATE OF HARYANA AND
ANOTHER**

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. H.N. Sahu, Advocate for the petitioner.
Mr. Rajinder Kumar Banku, DAG, Haryana.
Mr. Aman Pal, Advocate, for respondent No. 2.

N.S.SHEKHAWAT, J. (Oral)

1. A short reply by way of an affidavit has been filed on behalf of the respondent No. 2/complainant and the same is taken on record.
2. The petitioner has filed the present petition under Section 482 Cr.P.C. with a prayer to quash the FIR No. 232 dated 16.05.2021 registered under Sections 406, 420 and 506 IPC at Police Station Sirsa City, District Sirsa and all subsequent proceedings arising therefrom.
3. Learned counsel for the petitioner contends that during the pendency of the present petition, the parties have amicably resolved all their disputes. He further contends that the total disputed amount in the present was Rs. 50 lacs and the petitioner has already returned a sum of Rs. 55 lacs to the respondent No. 2/complainant in the present case. He prays that the present FIR may be ordered to be quashed on the basis of the compromise.
4. On the other hand, Mr. Aman Pal, Advocate, appearing on behalf of the complainant/respondent No. 2 submits that in the present case, an amount of Rs. 55 lacs has been received by respondent

No. 2/complainant and he has no objection, in case, the FIR in the present case is ordered to quashed on the basis of the compromise.

5. I have heard learned counsel for the parties and perused the record.

6. In view of the statement made by the learned counsel for the petitioner as well as complainant and in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.

7. Resultantly, the FIR No. 232 dated 16.05.2021 registered under Sections 406, 420 and 506 IPC at Police Station Sirsa City, District Sirsa alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

29.01.2024

amit rana

(N.S.SHEKHAWAT)
JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No