

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M No.42250 of 2019 (O&M)
Date of Decision: 02.05.2024

M/S PAL INFRASTRUCTURE AND DEVELOPERS (P) LTD AND
OTHERS

.....Petitioner(s)

Vs

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Mohak Arora, Advocate for
Mr. Manish Soni, Advocate
for the petitioners.

Mr. Gurmeet Singh, Asstt. A.G., Haryana.

Mr. Dharamvir Sharma, Advocate
for respondent No.2

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.61 dated 03.03.2014 registered under Sections 406/420/467/471/34 & 506 IPC at Police Station Bhupani District Faridabad, Haryana along with all consequential proceedings arising therefrom on the basis of compromise.
2. Notice of motion was issued on 01.10.2019 and both the parties were directed to appear before the Trial Court/Illaq Magistrate for recording their statements with regard to the validity of compromise. However, the parties could not appear before the Trial Court on the date fixed and as such the parties were again directed to appear before the Trial Court vide order dated 06.02.2024 for

making their statements as regards veracity of compromise arrived at between them.

3. In pursuance of the aforesaid order dated 01.10.2019 and 06.02.2024 passed by this Court, whereby the parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 23.02.2024 has been received from the concerned court, stating that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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 FIR 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 FIR. 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. Moreover, learned counsel for the petitioners on instructions from his client, submit that they volunteer to serve public cause by providing one LED Electro Cautery Machine, Brand Delta to the Civil Hospital, Faridabad, Haryana.

7. 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, the FIR No.61 dated 03.03.2014 registered under Sections 406/420/467/471/34 & 506 IPC at Police Station Bhupani District Faridabad, Haryana as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

8. Accordingly, petition stands allowed, however, subject to providing one LED Electro Cautery Machine, Brand Delta to the Civil Hospital, Faridabad, Haryana within a period of two weeks from today as volunteered by the petitioners against due receipt issued by the concerned Civil Surgeon, who shall prepare an inventory in this regard for its regular inspection by the Director concerned. A copy of the receipt shall also sent to the office Advocate General, Haryana at the earliest for maintaining records in this regard.

May 02, 2024	(HARKESH MANUJA)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No