

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-52530-2023 (O&M)
Date of Decision:- 12.01.2024

Yatender Singh alias Yateender Singh ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Aseem Aggarwal, Advocate, for the petitioner.

Mr. Gurmeet Singh, AAG, Haryana.

Ms. Ramandeep Kaur, Advocate for
Mr. Sahil Rawat, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner-Yatender Singh alias Yateender Singh has approached this Court seeking quashing of FIR No.448 dated 17.10.2019, Police Station Sector 5, Panchkula, under Sections 406, and 420 IPC, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 30.10.2023, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

3. Today, learned State counsel has filed reply by way of affidavit of Mr. Surender Singh, Assistant Commissioner of Police, Panchkula. The same is taken on record. A copy of the same has been furnished to learned counsel opposite.
4. Report of learned Chief Judicial Magistrate, Panchkula, has been received, wherein it has been reported that the statements of petitioner/accused Yatender Singh aias Yateender Singh and complainant Manav Malhotra have been recorded to the effect that they have compromised the matter amongst themselves.
5. The complainant Manav Malhotra in his statement had stated that he has no objection in case the FIR in question is quashed.
6. The learned Chief Judicial Magistrate, Panchkula, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
7. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.448 dated 17.10.2019, Police Station Sector 5, Panchkula, under Sections 406, and 420 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

12.01.2024

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No