

CRM-M-58450-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(276)

CRM-M-58450-2023

Date of Decision:-**February 06, 2024**

Brahm Dutt and another

.....Petitioners

Versus

State of Haryana and Another

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. Raghav Bali, Advocate for
Mr. Pankaj Bali, Advocate for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

Mr. Sikand Mehta, Advocate for respondent No. 2.

ALOK JAIN, J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of **FIR No. 1072 dated 07.07.2023**, registered under **Sections 120-B, 406, 420, 467, 468 and 471** of Indian Penal Code at Police Station Karnal Civil Lines, Karnal and all consequential proceedings arising therefrom, on the basis of compromise dated 18.08.2023 (Annexure P-2).

2. Keeping in view the fact that the parties entered into a compromise, this Court vide order dated 20.11.2023 directed the parties to appear before the Illaqa Magistrate/trial Court for getting their statements recorded in that regard. Pursuant thereto, a report dated 05.02.2024 has been received from the Additional Chief Judicial Magistrate, Karnal, stating that the compromise arrived at between the parties is voluntary and the same is without any pressure, coercion or undue influence.

3. Learned State Counsel and learned counsel for respondent No.2 admit the factum of compromise and submit that they have no objection to quashing of the FIR on that basis.

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4. Perusal of the aforesaid report establishes that the parties have amicably settled their dispute, and continuance of criminal proceedings in such a situation will be an exercise in futility, as the chances of ultimate conviction are bleak. The power under Section 482 Cr.P.C. can be exercised in such matters. It has been held by Supreme Court of India in cases ***Gian Singh v. State of Punjab and another* 2012(10) SCC 303** and ***Narinder Singh and others v. State of Punjab and another* 2014(6) SCC 406** that criminal cases having overwhelmingly civil character, particularly those arising out of commercial transactions or matrimonial relationships or family disputes, should be quashed when the parties have resolved their disputes among themselves in a *bona fide* manner.

5. Consequently, this petition is allowed. **FIR No. 1072** dated **07.07.2023**, registered under Sections **120-B, 406, 420, 467, 468** and **471** of Indian Penal Code at Police Station Karnal Civil Lines, Karnal and all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioners, subject to payment of cost of Rs. 10,000/- each to be deposited by the petitioners and Rs. 15,000/- to be deposited by respondent No.2 within one month from today in ***Poor Patients Welfare Fund, PGIMER, Chandigarh.***

(ALOK JAIN)
JUDGE

February 06, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No