

*** Vs. V.

*** Vs. V.

SooperKanoon Citation : sooperkanoon.com/1055169

Court : Punjab and Haryana

Decided On : Jan-24-2013

Appellant : ***

Respondent : V.

Judgement :

CRM-M No.39749 of 2012 ::1:: IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH CRM-M No.39749 of 2012 Date of decision : January 24, 2013 Jaswant Singh,Petitioner v.

State of Haryana and another,Respondents *** CORAM : HON'BLE MR.JUSTICE AJAY TEWARI *** Present : Mr.P.R.Yadav, Advocate for the petitioner.

Ms.Preeti Chaudhary, AAG Haryana for respondent No.1.

*** 1.

Whether Reporters of Local Newspapers may be allowed to see the judgment ?.

2. To be referred to the Reporters or No.?.

3. Whether the judgment should be reported in the Digest ?.

*** AJAY TEWARI, J (Oral) Prayer in the present petition, filed under Section 482 of the Cr.P.C, is for quashing of FIR No.79, dated 25.9.2006, registered under

Sections 420, 468, 471 of the IPC, at Police Station Rohrai, District Rewari and all other subsequent proceedings arising therefrom, on the basis of a compromise, arrived at between the parties.

On 14.12.2012, the following order was passed :- Notice of motion for 24.1.2013.

The trial Court is directed to send the report with regard to the validity or otherwise of the compromise after recording the statement of all the concerned parties before the next date of hearing.

Pursuant to the aforesaid order, report dated 7.1.2013 from the CRM-M No.39749 of 2012 ::2:: Sub Divisional Judicial Magistrate, Kosli has been received attesting to the fact that the matter has been compromised between the parties.

Counsel for the parties are also agreed that both the parties have arrived at a compromise and do not want to pursue the present FIR.

In view of the facts, noticed herein above, it is apparent that both the parties have arrived at a bona fide settlement.

I am of the opinion that it would be in the interest of justice, as also in the interest of parties, if the present FIR and all subsequent proceedings, emanating therefrom are quashed.

It is a fit case where this Court should exercise jurisdiction, under Section 482 of the Cr.P.C to put an end to these futile criminal proceedings.

Even otherwise, a Full Bench of this Court has issued broad guidelines in Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (Crl) 1052, for quashing of the FIR where parties enter into compromise.

Consequently, the present petition is allowed and FIR No.79, dated 25.9.2006, registered under Sections 420, 468, 471 of the IPC, at Police Station Rohrai, District Rewari, and all subsequent proceedings, emanating therefrom, are quashed.

(AJAY TEWARI) January 24, 2013.

JUDGE `kk'

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com