

(2011) 11 P&H CK 0111

High Court Of Punjab And Haryana At Chandigarh

Case No: Criminal Miscellaneous No. M- 7512 of 2011

Sube Singh and another

APPELLANT

Vs

State of Haryana and another

RESPONDENT

Date of Decision: Nov. 17, 2011

Acts Referred:

- Penal Code, 1860 (IPC) - Section 406, 418, 420

Hon'ble Judges: Ranjit Singh, J

Bench: Single Bench

Final Decision: Allowed

Judgement

Ranjit Singh, J.

The petitioners have filed this petition for quashing of FIR No. 157 dated 18.9.2007 registered under Sections 406/418/420 IPC, at Police Station Farukhnagar, District Gurgaon, and all subsequent proceedings on the basis of compromise.

2. The petitioners have entered into an agreement of sell the land situated within the revenue estate of Farukhnagar, District Gurgaon. The sale consideration agreed was Rs. 34.50 lacs per acre with the private respondents. The petitioners received a sum of Rs. 20 lacs as earnest money. The last date for getting the sale deed registered was 4.9.2007. In the meantime, the petitioners sold the above said land to Smt. Sangeeta Bhardwaj on 7.9.2007. This led to dispute between the parties and ultimately, present FIR was registered against the petitioners.

3. With the passage of time, some good sense has prevailed in the private respondents. The parties have sat together and compromised the matter. They have resolved all the issues. An affidavit in support of compromise is annexed with the petition as Annexure P-2.

4. While issuing notice of motion on 10.3.2011, this Court had directed the parties to appear before the trial Court and get their statement recorded on the basis of this

compromise. The parties, accordingly, have appeared before the trial Court on 11.4.2011. The complainant has made a statement before the Court to the effect that he has entered into this compromise with the petitioners without any undue influence. Statement of petitioners- Sube Singh and Sahi Ram has also been recorded to similar effect. The compromise deed was also produced before the trial Court. Trial Court, accordingly, has submitted a report that the parties indeed have compromised and same is valid.

5. Since the parties have compromised the case, no useful purpose would be served in allowing these criminal proceedings to continue. Compromise in such like cases would always be good for society at large and should be encouraged. As per the Law laid down by the Full Bench of this Court in Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Cri) 1052, FIR in cases like this can be quashed on the basis of compromise to have good, orderly and peaceful co-existence in the society.

6. In view of above, the present petition is allowed. FIR No. 157 dated 18.9.2007 registered under Sections 406/418/420 IPC and all subsequent proceedings arising therefrom are hereby quashed.