

(2009) 01 P&H CK 0202

High Court Of Punjab And Haryana At Chandigarh

Case No: CRM No. 27058 M of 2008 (O and M)

Smt. Sarita Gupta and another

APPELLANT

Vs

State of Haryana and another

RESPONDENT

Date of Decision: Jan. 23, 2009

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 482
- Penal Code, 1860 (IPC) - Section 417

Citation: (2009) 5 RCR(Criminal) 786

Hon'ble Judges: Harbans Lal, J

Bench: Single Bench

Advocate: Dheeraj Narula, for Sandeep Punchhi, for the Appellant; A.K. Jindal, AAG, Haryana, For the Respondent No. 2-Complainant Mr. S.K. Biriwal, for the Respondent

Final Decision: Allowed

Judgement

Harbans Lal, J.

This petition has been moved by Sarita Gupta and another u/s 482 of the Code of Criminal Procedure seeking quashing FIR No. 447 dated 22.9.2000, (Annexure P-1) registered under Sections 417, 420, 406, 409, 467, 468, 120-B of the Indian Penal Code at Police Station City Sirsa and all consequential proceedings arising therefrom, on the ground of compromise (Annexure P- 2).

2. The grounds pleaded are that the parties have compromised the matter with the intervention of the respectables, therefore, no useful purpose would be served if the proceedings are allowed to continue. Complainant has sworn an affidavit (Annexure P-2) wherein he has stated that he has received full and final payment from the petitioners and matter has been compromised, therefore, he has no objection if the FIR in question is quashed.

3. Mr. S.K. Biriwal, Advocate appearing on behalf of respondent No. 2- complainant has also conceded this fact.

4. In view of the law laid down by the Full Bench of this Court in re : Kulwinder Singh and others v. State of Punjab and another 2007 (3) RCR 1052., the Court is competent to quash the proceedings on the basis of compromise. Sequelly, this petition is accepted and FIR No. 447 dated 22.9.2000, (Annexure P-1) registered under Sections 417, 420, 406, 409, 467, 468, 120-B of the Indian Penal Code at Police Station City Sirsa and all consequential proceedings arising therefrom are hereby quashed.