
(2011) 09 P&H CK 0124

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M-20997 of 2011 (O and M)

Chirag Jain

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 09-09-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 120B, 406, 420, 467, 468

Citation : (2011) 09 P&H CK 0124

Hon'ble Judges : L.N. Mittal, J

Bench : Single Bench

Final Decision : Allowed

Judgement

L.N. Mittal, J.—Chirag Jain has filed the instant petition u/s 482 of the Code of Criminal Procedure (in short "Code of Criminal Procedure") for quashing the FIR No. 88 dated 13.04.2010 under Sections 420, 406, 467, 468 and 471/120-B Indian Penal Code registered at Police Station Khaidki Daula, District Gurgaon (Annexure P-1) in view of the compromise effected with Respondent No. 2-complainant Balbir Singh who has furnished his affidavit Annexure P-3 regarding the compromise.

2. Respondent No. 2-complainant is present in person and has been identified by Mr. Jagdish Rai, Sub Inspector, who has come to assist the State Court. The complainant states that he has effected compromise with the accused and has furnished affidavit Annexure P-3 regarding the compromise and has No. objection to the quashing of the FIR.

3. Reply on behalf of Respondent No. 1 filed today in Court by the State counsel, is taken on record subject to all just exceptions.

4. I have heard learned Counsel for the parties and perused the case file.

5. In appropriate cases, FIR can be quashed on the basis of compromise by exercising power u/s 482 Code of Criminal Procedure even if the offences are not

compoundable. It was so held by Full Bench of this Court in the case of Kulwinder Singh and Ors. v. State of Punjab and Ors. 2007 (3) R.C.R. Cri 1052.

6. In the instant case, claim of Respondent No. 2 has been satisfied. The entire due amount has been paid to him. Accordingly, it is a fit case in which the FIR should be quashed.

7. For the reasons aforesaid, the instant petition is allowed and the impugned FIR No. 88 dated 13.04. 2010 under Sections 420, 406, 467, 468 and 471/120-B Indian Penal Code registered at Police Station Khaidki Daula, District Gurgaon (Annexure P-1) is quashed along with all consequential proceedings arising therefrom.