

*IN THE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH.*

Cr. Misc. M 22365 of 2013
Date of decision:- 21.2.2015

Rajinder Kumar @ Nappy

Petitioner

vs.

State of Punjab and anr

Respondent

Present: Mr. DS Gandhi, Advocate.
Mr. Mikhail Kad, AAG, Punjab
Mr. Kirpal Singh, Advocate.

M.M.S.BEDI,J.

The petitioner is husband of respondent No.2 Aruna Rani, who had lodged an FIR against the petitioner that he had cleverly opened a business concern in her name and shown her as proprietor of M/S Rajat Enterprises. Loans were taken by committing fraud and compelling her to sign the blank papers. Now the matter has been compromised. The FIR was registered against the petitioner and 3 other accused, namely, Manohar Singh Bhullar, KC Bhatia and Bharat Singh.

I have considered the facts and circumstances of the case. Co-accused of the petitioner are not impleaded as party. It appears that the husband and wife have colluded to create a defence for the petitioner to absolve their criminal liability regarding the criminal activities committed on behalf of M/S Rajat Enterprises.

It has been informed by the learned State counsel, on the instructions of ASI Jarnail Singh, that challan has been presented against the petitioner and one another.

In view of the said circumstances, quashing of FIR on the basis of compromise is not maintainable.

Counsel for the petitioner has submitted that an FIR against the petitioner u/s 406/498-A IPC has been quashed on the basis of compromise. No benefit can be derived of the said quashing in the present petition.

Dismissed.

February 21 ,2015
TSM

(M.M.S.BEDI)
JUDGE

