

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-33768 of 2014.
Date of Decision : 06.04.2015.

Neena Sharma

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Gurmeet Singh, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Maninder Singh, Advocate for respondent No. 2.

Tejinder Singh Dhindsa, J.(Oral)

The instant petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 79, dated 16.06.2012, under Sections 406, 420, 120-B IPC, registered at Police Station Matour, District S.A.S. Nagar, Mohali, on the basis of compromise, which as per counsel had been entered into between the parties.

On 06.02.2015, this Court had taken notice of the submissions made by learned counsel for the petitioner that he was ready to pay the amount in dispute to the complainant. Accordingly, the parties were directed to appear before the trial Court for recording of their statements and a report with regard to veracity of the compromise was also called for.

Placed on record is a report dated 04.04.2015 of the Judicial Magistrate Ist Class, SAS Nagar, Mohali and a perusal of the same would reveal that statements of the parties have been recorded and the complainant, namely, Daljit Singh has stated that he has

received the entire amount which was alleged to have been misappropriated by the accused/present petitioner. It has also been opined that the compromise has been effected without any undue influence or coercion.

A Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* has taken a view that this Court would have the powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of registration of FIR even with regard to such offences which are non-compoundable.

In view of the fact that the parties have reached at a settlement and the entire money has already been paid by the accused/present petitioner to the complainant, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C. to bring to an end the criminal proceedings initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 79, dated 16.06.2012, under Sections 406, 420, 120-B IPC, registered at Police Station Matour, District S.A.S. Nagar, Mohali and all proceedings emanating therefrom stand quashed.

Petition allowed.

April 06, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE