

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

Crl. Misc. No. M-37606 of 2014 (O&M)
Date of decision : 27.01.2015

Karnail SinghPetitioner
versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jatin Khullar, Advocate,
for the petitioner

Mr. Daljeet Singh Virk, AAG, Punjab

Mr. Fateh Saini, Advocate
for the complainant.

RITU BAHRI , J. (Oral)

Quashing of FIR No. 44 dated 28.05.2011 under Sections 419/420/467/468/471/120-B IPC, registered at P.S. Sidhwan Bet, District Ludhiana, is being sought on the basis of compromise dated 29.10.2014 (Annexure P-3).

F.I.R has been registered on the statement of respondent No. 2 against the petitioner alleging that in July, 2009 Major Singh along with bank officials withdrawn the money from UCO Bank in the name of dead person by impersonation. The name of the present petitioner does not find mentioned in the F.I. (P-1). During investigation, the name of the present petitioner appeared in a statement u/s 161 Cr.P.C and he was added as accused. The petitioner made a representation to SSP Ludhiana narrating the whole facts that Major Singh has obtained his signatures fraudulently and he is innocent and not committed any offence (P-2)

Now, the matter stands compromised between the petitioner

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and the complainant, vide compromise deed dated 29.10.2014 (P-3).

In compliance of order dated 04.11.2014, report of District and Sessions Judge, Ludhiana has been received in this regard. As per report, statement of complainant-Nirmal Singh has been recorded to the effect that he had compromised the matter with the accused person i.e present petitioner and has no grudge against him. He has no objection, if the present F.I.R be quashed against the petitioner. To the same effect is the statement given by petitioner. The compromise has been entered voluntarily and without any pressure.

Today, learned counsel for the complainant has put in appearance and has tendered the affidavit of the complainant to the effect that the petitioner is innocent and thumb impression of the petitioner has been obtained fraudulently by Major Singh. He has no objection if the F.I.R be quashed against the present petitioner.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 44 dated 28.05.2011 under Sections 419/420/467/468/471/120-B IPC, registered at P.S. Sidhwan Bet, District Ludhiana, is quashed with all consequential proceedings arising therefrom qua petitioner.

The petition stands disposed of.

27.01.2015
G Arora

(RITU BAHRI)
JUDGE

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