

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**Crl. Misc. No. M-39888 of 2014
Date of decision : 16.02.2015**

Balwinder SinghPetitioner
versus
State of Punjab & another ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Narinder Kumar Awasthi, Advocate
for the petitioner.

Mr. D.S. Virk, AAG, Punjab.

Mr. Ranjodh Singh Sidhu, Advocate
for respondent No.2/complainant.

RITU BAHRI, J. (Oral)

Quashing of the FIR No.34 dated 24.03.2014 under Sections 380, 454 IPC and later on added Section 411 IPC, registered at Police Station Sadar Sunam, District Sangrur (Annexure P-1) and its consequential proceedings on the basis of compromise dated 01.11.2014 (Annexure P-2), is being sought.

The FIR was registered on a statement made by Hakam Singh-respondent No.2/complainant alleging that he had withdrawn Rs.6 lacs from State Bank of Patiala, Branch Bhiwanigarh for the construction of his house, out of which, he had spent some money on constructing the house. On 23.03.2014 at about 9 AM, he counted the cash, which was Rs.1,22,000/-. At about 12 PM, Balwinder Singh @ Billu-petitioner came to his house. He was alone at home at that time,

Balwinder Singh @ Billu told the complainant that his wife is always quarrelling with him, please make her understand. When after an hour, the complainant back to his house then Balwinder Singh was not present at the house of the complainant. The iron almirah was opened, the complainant checked the cash in almirah, then he found that cash was missing. He apprehended that his cash was stolen by Balwinder Singh. On this background, the FIR was registered.

After presentation of the challan during the stage of trial, the matter has been compromised by the parties.

In compliance of the order dated 21.11.2014, status report has been received from the Sub Divisional Judicial Magistrate Sunam (Sangrur) and the statements of the parties have been recorded to the effect that they have compromised the matter and the complainant has no objection if the FIR is quashed.

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.34 dated 24.03.2014 under Sections 380, 454 IPC and later on added Section 411 IPC, registered at Police Station Sadar Sunam, District Sangrur (Annexure P-1), is quashed

with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

16.02.2015
Vinay

(RITU BAHRI)
JUDGE