

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-43165 of 2014 (O&M)

.....

Date of decision:30.1.2015

Lovepreet Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Present: Mr. G.S. Sandhu, Advocate for the petitioner.

Mr. Amarinder Singh Klar, Assistant Advocate General,
Punjab for the respondent-State.

Mr. Munish Gulati, Advocate for complainant-respondent
No.2.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.167 dated 24.10.2014 (Annexure-P.1) registered for the offences under Sections 420, 465, 467, 468 and 471 IPC at Police Station Kulgari, District Ferozepur and all subsequent proceedings arising therefrom in view of the compromise dated 12.11.2014 (Annexure-P.2).

The FIR has been registered on the statement of complainant-Jaspal Singh on the allegations that the accused-petitioner has got his Indian Passport issued by submitting false and fake documents and wrong statement and now he wants to leave India on the basis of his above mentioned Passport to Canada. As it is a family dispute, now with

intervention of friends, elders and respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Ferozepur, has sent his report dated 28.1.2015 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Assistant Advocate General, Punjab, on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise and submit that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioner as well as learned Assistant Advocate General, Punjab and learned counsel for complainant-respondent No.2 have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of

criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.167 dated 24.10.2014 (Annexure-P.1) registered for the offences under Sections 420, 465, 467, 468 and 471 IPC at Police Station Kulgari, District Ferozepur and all subsequent proceedings arising out of the same are hereby quashed.

January 30, 2015.

(Inderjit Singh)
Judge

hsp