

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc. No. M-9156 of 2013

Date of decision : August 05, 2015

Anil Bhandari and others

....Petitioners

versus

State of Punjab and another

....Respondents

Coram: Hon'ble Mr. Justice Fateh Deep Singh

Present : Ms Isha Goyal, Advocate, for the petitioners
Mr. C.S.Brar, DAG, Punjab
Mr. SS Momi, Advocate, for respondent no. 2

Fateh Deep Singh, J. (Oral)

The present petition under section 482 Cr.P.C. was initially preferred by accused Anil Bhandari, Atul Bhandari and Sunil Bhandari seeking prayer for setting aside order dated 5.1.2013 Annexure P21 passed by learned Judicial Magistrate Ist Class, Amritsar framing charges against the petitioners in case bearing FIR No. 217 dated 22.6.2007 pertaining to Police Station Civil Lines, Amritsar under sections 420, 467, 468, 406, 120-B IPC. During the course of events, the parties had effected compromise of their dispute. On the oral prayer, exercising powers under section 482 Cr.P.C. this Court has called for the report of the learned trial court.

Vide its report dated 4.8.2015, the trial court on the basis of statements of accused-petitioners Anil Bhandari, Atul Bhandari and Sunil Bhandari as well as complainant Manohar Singh has shown its satisfaction that the compromise is an outcome of voluntariness, free will and without any coercion or undue pressure. In the light of the satisfaction shown by the Court and in view of the fact that being pure property dispute compromise will go a long way in resolving the personal dispute and to bring about personal harmony and in view of the law laid down in **Gian Singh vs State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others vs State of Punjab and another, 2007(3) RCR (Criminal) 1052** and in view of which the prayer made in the petition is allowed, proceedings by way of FIR No. 217 dated 22.6.2007 pertaining to Police Station Civil Lines, Amritsar under sections 420, 467, 468, 406, 120-B IPC and all consequences arising thereof are quashed qua the present petitioners.

The petition stands allowed in those terms.

August 05, 2015
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(Fateh Deep Singh)
Judge