

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

Crl. Misc. No. M-8963 of 2014 (O&M)

Date of decision : 19.01.2015

Sanjay Kripalani & anotherPetitioners

versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Puneet Bali, Sr. Advocate with
Mr. Vibhav Jain, Advocate for the petitioners.

Mr. S.S. Dhaliwal, Addl. A.G., Punjab.

Mr. Hittan Nehra, Advocate for respondents No.3 and 4.

RITU BAHRI , J. (Oral)

Quashing of the FIR No.3 dated 06.01.2012 under Sections 341/387/506/34 of IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station City Kapurthala (Annexure P-1) and its consequential proceedings on the basis of compromise dated 05.01.2012 (Annexure P-17), is being sought.

FIR was registered on a statement made by Harbhajan Singh Chopra-respondent No.2/complainant alleging that the petitioners tried killed him when he visited Kapurthala in the 2011 for his medication. He immediately made a complaint to the local police but no action was taken by them. The accused moved the Hon'ble Delhi High Court and filed Writ Petition (Crl.) bearing No.884 of 2011 and vide order dated

15.06.2011 a direction was given to the accused to join the investigation. The petitioner is an architect and the complainant was working with him. As per the settlement agreement (Annexure P-17) dated 05.01.2012, both the parties have been engaged in a business since 2001 and there was a dispute with regard to Rs.12 crores. On this background, the FIR was registered.

Now, the matter has been amicably settled between the parties (Annexure P-17). The complainant is residing in UK and could not come to India and on 01.12.2014, Local Commissioner was appointed by this Court. Report of the Local Commissioner has been received as A-I. Statement of the complainant has been recorded. He has also given affidavit that he has compromised the matter and he has no objection if the FIR is quashed. Copy of the report has also been handed over to the counsel for the State. Statements have duly signed by the counsel for the complainant and the Local Commissioner.

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.3 dated 06.01.2012 under Sections 341/387/506/34 of IPC and Sections 25/27/54/59 of the Arms Act, registered at Police Station City Kapurthala (Annexure P-1), is quashed with all consequential proceedings arising therefrom qua petitioners.

The petition stands disposed of qua petitioners.

19.01.2015

Vinay

(RITU BAHRI)

JUDGE