

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-9610 of 2014 (O&M)
Date of Decision : 20.03.2015

Sukhdev Singh and anotherPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MR. JUSTICE R.P. NAGRATH

Present: Mr. N.S. Diwana, Advocate
for the petitioners.

Mr. Gurveer Sidhu, AAG, Punjab.

Mr. Gurmeet Singh, Advocate
for the complainant.

R.P. NAGRATH, J. (Oral)

CRM No. 5285 of 2015

Application is allowed and judgment passed by Civil Judge (Jr. Division), SAS Nagar dated 09.08.2010 (Annexure P-6) is taken on record.

CRM-M-9610 of 2014

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 199 dated 29.05.2008 for offences under Sections 420, 465, 467, 468, 471 and 120-B of Indian Penal Code (IPC), registered at Police Station-1, Mohali, District SAS Nagar on the basis compromise.

In deference to the order passed by this Court on 05.08.2014, the trial Court recorded the statements of both the parties on the compromise and reported that the compromise reached between the parties is genuine, voluntary and without any pressure or coercion.

When the matter was listed on 28.11.2014, the parties were directed to have instructions about the status of the property which was subject matter of the sale deed stated to be forged a

document. With CRM No. 5285 of 2015, learned petitioners' counsel has placed on record judgment dated 09.08.2010 in Civil Suit No. 153 dated 05.05.2008 (Annexure P-6) and the civil court held the impugned sale deed dated 29.05.2007 and the subsequent sale deed dated 21.04.2008 to be illegal, forged, void, fictitious, null and not binding on the right of the plaintiff, namely; the complainant. That was an *ex parte* judgment. FIR and subsequent proceedings against the co-accused, namely; Joginder Singh and Labh Singh have since been quashed by this Court in CRM-M-14744 of 2011.

No useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 (P&H) and approved by the Hon'ble Supreme Court in **Gian Singh vs. State of Punjab and others**, (2012)10 SCC 303, this petition is allowed and FIR No. 199 dated 29.05.2008 for offences under Sections 420, 465, 467, 468, 471 and 120-B IPC and subsequent proceedings are quashed.

Needless to say that the parties shall remain bound by the terms and conditions of the compromise and the statements made by them.

Allowed in the above terms.

March 20, 2015
jk

(R.P. NAGRATH)
JUDGE