

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

CRM-M-15489 of 2014(O&M)
Date of decision: 15.03.2016

Ramesh Kumar Bhalla

----Petitioner (s)

V/s

State of Punjab & another

-----Respondent(s)

CORAM:- HON'BLE MR. JUSTICE HARI PAL VERMA

1. Whether reporters of local newspapers may be allowed to see judgment?
2. To be referred to reporters or not?
3. Whether the judgment should be reported in the Digest?

Present:- Mr. Gagan Oberoi, Advocate for the petitioner.

Mr. Sultan Singh Gill, AAG, Punjab.

Mr. G.S. Anand, Advocate for respondent No.3.

HARI PAL VERMA, J.(Oral)

CRM-8321-2015

Prayer made in this application is for placing on record
Annexures P-7 to P-11.

For the reasons stated in the application, the same is
allowed and documents Annexures P-7 to P-11 are taken on record
subject to all just exceptions.

CRM-M-15489 of 2014(O&M)

Though initially petitioner, namely, Ramesh Kumar
Bhalla, has filed the present petition seeking quashing of FIR No.3

dated 04.01.2013 (Annexure P-3) for offence punishable under Section 420/120-B IPC, registered at Police Station Division No.5, Civil Lines, Ludhiana, District-Ludhiana and all consequential proceedings arising therefrom on the basis of merits, however, vide Crl. Misc. No.8322 of 2016, learned counsel for the petitioner has prayed for quashing of FIR on the basis of compromise arrived at between the parties before the National Lok Adalat on 12.12.2015 at Ludhiana.

Learned counsel for respondent No.3 i.e. PNB does not dispute the factum of compromise effected between the parties before the National Lok Adalat on 12.12.2015 at Ludhiana and submits that as per the settlement, the petitioner has already paid the agreed amount.

Learned counsel for the State also does not dispute the factum of compromise entered between the parties.

Heard.

The petition which was originally filed for quashing of FIR on the basis of merits is ordered to be converted and decided on the basis of compromise effected between the parties before the National Lok Adalat on 12.12.2015 at Ludhiana.

Order dated 12.12.2015 passed by National Lok Adalat at Ludhiana (Annexure P-9), reads as under:-

“File taken up in National Lok Adalat with great efforts matter has been compromised between the parties and vide separate statement the defendant has agreed to make payment in installment to plaintiff bank. After agreeing the statement of defendant, the plaintiff gave statement that award may kindly be passed as per statement. Keeping in view of the statement of both the parties, award is passed accordingly. Both the parties are bound by their statements. Court fee is

ordered to be refunded to the plaintiff bank, as per rule. File be consigned to the record room.”

In view of the above, no useful purpose would be served to continue with the proceedings in the instant FIR particularly when a compromise arrived at between the parties before the National Lok Adalat on 12.12.2015 at Ludhiana, pendency of the FIR as well as the consequential proceedings arising therefrom would be sheer abuse of the process of law since chances of conviction of petitioner are bleak.

Accordingly, 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)**, as 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.3 dated 04.01.2013 (Annexure P-3) for offence punishable under Section 420/120-B IPC, registered at Police Station Division No.5, Civil Lines, Ludhiana, District-Ludhiana, and all other consequential proceedings arising therefrom, qua the petitioner, are quashed, in view of the compromise arrived at between the parties before the National Lok Adalat on 12.12.2015 at Ludhiana

15.03.2016
Anjal

[HARI PAL VERMA]
JUDGE