

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

**CRM-M No. 28408 of 2015 (O&M)
Date of Decision: 04.02.2016**

Ashok Kumar

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Rajesh Kumar Dadwal, Advocate
for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab
for respondent No. 1/State assisted by ASI Sohan Lal.

Mr. Arnav Sood, Advocate
for respondent No. 2/complainant.

JASWANT SINGH, J. (ORAL)

Prayer is for quashing of FIR No. 174, dated 04.12.2014, for offences punishable under Sections 420 and 120-B of the Indian Penal Code, registered at Police Station Sadar Hoshiarpur, District Hoshiarpur **(Annexure P-1)** and all consequential proceedings arising therefrom on the basis of compromise dated 02.02.2015 **(Annexure P-2)**.

Allegation of the complainant-Arvind Kumar Sood (respondent No. 2 herein) is that Ashok Kumar (petitioner herein) alongwith other co-accused had entered into an agreement to sell executed by impersonation of the real owners. They are also alleged to have shared the amount of Rs. 10,05,000/- received as earnest money.

Learned counsel for the petitioner submits that on refund of Rs. 4,12,000/- by the present petitioner to the complainant, the aforesaid FIR be quashed.

The receipt of said amount is not disputed by the counsel for the complainant. Even at the time of hearing, he also owned up an affidavit dated 22.04.2015 (**Annexure P-3**) executed by his client/Arvind Kumar Sood in favour of the present petitioner-Ashok Kumar.

Learned State Counsel, assisted by ASI Sohan Lal, submits that partial compromise would not entitle the petitioner to seek the quashing of aforesaid FIR.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.

February 04, 2016

'dk kamra'

(JASWANT SINGH)
JUDGE