

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

CRM-M No.40029 of 2014
Date of decision: 01.08.2016

Davinder Singh & ors. Petitioners

versus

State of Punjab & ors. Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Prateek Pandit, Advocate
for the petitioners.

Mr. Ashish Sanghi, DAG, Punjab.

Ajay Tewari, J.(Oral)

This petition has been filed under Section 482 Cr.P.C. for quashing of case FIR No.35 dated 27.03.2014 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC and 13-A of Punjab Village Common Lands Regulation Act, 1961 at Police Station Sadar, District Kapurthala and all subsequent proceedings arising therefrom.

In terms of order dated 01.10.2015, status report by way of affidavit of Mr. Daljit Singh, Deputy Superintendent of Police, Sub Division, Kapurthala has been filed on behalf of respondent No.1.

The allegations in the FIR were that petitioner No.1 illegally allotted shamlat land to petitioner No.2 while he was member of Panchayat and petitioner No.2 had transferred the same in the name of petitioners No.3 & 4.

During the pendency of FIR, a civil suit was also filed at the instance of petitioner No.2 but ultimately the matter was settled between him and the Gram Panchayat, which has been enumerated in the resolution (Annexure P-8). As per this, the civil suit filed by petitioner No.2 was withdrawn. The possession of the land was handed over to the Panchayat and the petitioners deposited due

lease money. Thereafter, the panchayat informed BDPO, Kapurthala about the settlement and BDPO, Kapurthala requested the prosecution to withdraw the case since the matter has been settled.

Learned State counsel on instructions from ASI Virender Singh has accepted these factual assertions.

In view of the matter, I do not deem it appropriate to continue the proceedings against the petitioners.

Consequently, FIR No.35 dated 27.03.2014 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC and 13-A of Punjab Village Common Lands Regulation Act, 1961 at Police Station Sadar, District Kapurthala and all subsequent proceedings arising therefrom qua petitioners are hereby quashed.

August 01, 2016
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(AJAY TEWARI)
JUDGE

1. Whether speaking/reasoned?

Yes/No

2. Whether reportable?

Yes/No