

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

***CRM No.M-7644 of 2016 (O&M)
Date of decision : 27.05.2016***

Amit Kukkar and another

... Petitioner

Vs.

State of Punjab and another

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Jatinderpal Singh, Advocate for the petitioners.
Mr. D.S. Virk, AAG, Punjab.
Mr. Prabhjot Singh, Advocate for the complainant.

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TEJINDER SINGH DHINDSA, J.

The present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.86 dated 23.04.2015 under Sections 420/120-B IPC, registered at Police Station City-I, Abohar, District Fazilka qua the present petitioners.

Since quashing was sought on the basis of compromise, this Court while issuing notice of motion on 02.03.2016 had directed the parties to appear before the Illaqa Magistrate concerned for recording of their statements and a report as regards veracity of the compromise was called for.

Placed on record is a report dated 25.04.2016 of the learned Sub Divisional Judicial Magistrate, Abohar and a perusal thereof would reveal that the statements of the accused/present petitioners herein, namely, Amit Kukkar and Sahil Arora as also of the complainant, Jatinderjit Singh have been duly recorded and it has been opined that compromise that has been effected between the parties is without any pressure or coercion.

Suffice it to observe that the FIR had been registered on the allegations that the complainant had booked one plot in a colony being set-up under the name and style of Nature Heights at Ferozepur and in spite of the earnest money having been paid and the complainant being ready and willing to even pay the sale consideration amount, the sale deed was not being executed.

The allegations are founded on a property transaction and are essentially civil in nature.

Mr. Prabhjot Singh has appeared on behalf of the complainant, Jatinderjit Singh and affirms the factual position with regard to settlement having been arrived at. He further states that he would have no objection to the FIR being quashed on the basis of compromise.

Since the parties have amicably resolved their dispute, it would be a fit case for this Court to intervene and to bring to an end the criminal prosecution initiated in the light of the impugned FIR.

In view of the above, the present petition is allowed. FIR No.86 dated 23.04.2015 under Sections 420/120-B IPC, registered at Police Station City-I, Abohar, District Fazilka and all proceedings emanating therefrom qua the present petitioners are set aside.

Petition allowed in the aforesaid terms.

27.05.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**