

In the High Court of Punjab and Haryana at Chandigarh

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(1) Criminal Misc. No.M-15313 of 2016

.....

Date of decision:4.9.2017

Bhupinder Singh and others

.....Petitioners

v.

State of Punjab and another

.....Respondents

....

(2) Criminal Misc. No.M-27144 of 2017

.....

Gurcharan Singh

.....Petitioner

v.

State of Punjab and another

.....Respondents

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sanjeev K. Virk, Advocate for the petitioners.

Mr. Gaurav Garg Dhuriwala, Senior Deputy Advocate General,
Punjab for the respondent-State.

None for the complainant-respondent No.2.

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Inderjit Singh, J.

This order will dispose of the above mentioned two criminal miscellaneous petitions i.e. Criminal Misc. No.M-15313 of 2016 and Criminal Misc. No.M-27144 of 2017 filed under Section 482 Cr.P.C. for quashing of FIR No.109 dated 27.9.2011 registered for the offences under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station

Maqsoodan, District Jalandhar and all other subsequent proceedings arising therefrom on the basis of compromise.

The FIR has been registered on the statement of Bhupinder Singh son of Balbir Singh on the allegations that the petitioners by hatching conspiracy have cheated him. Now with the intervention of respectable persons, both the parties have arrived at an amicable settlement and have effected a compromise.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Jalandhar has sent two reports dated 24.8.2017 in both the cases submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned Senior Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid down by the Hon'ble Supreme Court.

I have heard learned counsel for the petitioners as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After

considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, these petitions are allowed and FIR No.109 dated 27.9.2011 registered for the offences under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Maqsoodan, District Jalandhar and all other subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

September 4, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No