

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

**CRM-M-19738-2016 (O&M)
Date of Decision: 29.03.2017**

Harinder Kumar Singla & another

--Petitioners

Versus

State of Punjab & another

--Respondents

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

Present:- Mr. P.K. Garg, Advocate for the petitioners.

Mr. P.S. Madahar, AAG, Punjab.

Mr. Rajbir Singh, Advocate for respondent No.2.

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.155, dated 18.08.2015, under Sections 406/420 IPC, registered at Police Station City Sunam, District Sangrur.

Since quashing was sought on the basis of compromise, this Court on 31.01.2017 had directed the parties to appear before the Illaqa Magistrate concerned on 16.02.2017 for recording of their statements in support of the compromise. A report as regards veracity of the compromise was also called for.

Placed on record is a report dated 21.02.2017 of the learned Sub Divisional Judicial Magistrate, Sunam and a perusal thereof would reveal that statements of complainant, Sumir Mittal/respondent No.2 as also of the accused party/petitioners herein have been duly recorded and it has been opined that a compromise has been entered into between the parties voluntarily, without any coercion or undue influence.

This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a Full Bench decision of this Court in *Kulwinder Singh & others Vs. State of Punjab & others, 2007 (3) RCR (Criminal) 1052*.

Adverting back to the facts of the present case, FIR had been registered on the complaint of Sumir Mittal that he had advanced a sum of Rs.3 lakhs towards earnest money to the accused/petitioners for purchase of a plot but the sale deed had not been executed.

The dispute between the parties concededly has been settled.

Mr. Rajbir Singh, Advocate, who is present in Court on behalf of respondent No.2 also makes a statement that he would have no objection to the quashing of the FIR in view of the compromise.

In the considered view of this Court, it would be fit case for exercise of power under Section 482 Cr.P.C. and to bring to an end the prosecution initiated on account of registration of the FIR.

For the reasons recorded above, present petition is allowed. FIR No.155, dated 18.08.2015, under Sections 406/420 IPC, registered at Police Station City Sunam, District Sangrur and all proceedings emanating therefrom stand quashed.

Petition allowed in the aforesaid terms.

29.03.2017

harjeet

(TEJINDER SINGH DHINDSA)
JUDGE

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| i) | Whether speaking/reasoned? | Yes |
| ii) | Whether reportable? | No |