

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-24823 of 2017
Date of decision: 04.12.2017

Gurpreet Singh Sethi and others .. Petitioners

Versus

State of Punjab and another .. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. P.K.S. Phoolka, Advocate
for the petitioners.

Mr. Atinder Pal Singh Jaurkian, AAG, Punjab

Mr. Anil Kumar Sharma, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.199 dated 04.09.2016 (Annexure P-1), registered for offences punishable under Sections 420/34 of Indian Penal Code (for short 'IPC') at Police Station Kotwali, District Bathinda, along with all consequential proceedings arising therefrom, on the basis of compromise dated 01.06.2017 (Annexure P-2).

FIR was registered on the statement of respondent no. 2-Pushpa Sehgal, who levelled allegations against petitioners that they have duped her of ₹8 lacs by alluring her to invest the same in a finance company (Fair Deal Consultant). After deposit of the amount on promise that they will pay interest to complainant, nothing was paid to her.

Learned counsel for the petitioners submits that the matter has since been settled vide compromise, copy of which has been placed on file as Annexure A-2.

Learned counsel for respondent No.2-complainant has submitted

that in view of compromise dated 01.06.2017 (Annexure P-2), respondent no. 2 has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 12.10.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine and voluntary in nature and without any pressure, undue influence or coercion.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No. 199 dated 04.09.2016 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

December 04, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No