

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

CRM-M No.29755 of 2016 (O&M)

Date of Decision: 27.03.2017

Pardeep Kumar

.... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vipin Kumar, Advocate for
Mr. Harinder Pal Singh Ishar, Advocate
for the petitioner.

Mr. Neeraj Sharma, AAG, Punjab
for respondent No.1-State.

None for respondent No.2.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.98 dated 15.06.2012, registered under Sections 406, 420, 465, 467, 468 and 471 IPC, at Police Station Derabassi, District SAS Nagar, Mohali, along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On November 09, 2016, this Court had directed the parties to appear before the trial Court to get their statements recorded in support of the compromise. The trial Court was also directed to send a report to this Court if the matter had been compromised without any threat, coercion or undue influence.

As directed, report dated February 02, 2017 from the Sub Divisional Judicial Magistrate, Dera Bassi has been received, as per which the petitioner as also the complainant appeared before the trial Court and suffered statements in support of the compromise. The trial

Court has also expressed its satisfaction that the compromise effected between the parties is out of their free will and without any coercion.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which reveals a commercial dispute between two private parties, who have settled the matter amongst themselves, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Haryana and others, 2007 (3) RCR (Criminal), 1052***, I deem it just and proper to allow the petition and resultantly quash the FIR No.98 dated 15.06.2012, registered under Sections 406, 420, 465, 467, 468 and 471 IPC, at Police Station Derabassi, District SAS Nagar, Mohali and all proceedings arising therefrom, qua the present petitioner.

March 27, 2017

rittu

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No