

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

**CRM NO. M-33060 OF 2016(O&M)
DECIDED ON : 27.07.2017**

Ashwani Kapoor and another

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. H. S. Kathpal, Advocate,
for the petitioners.

Ms. Bhavna Gupta, DAG, Punjab.

Mr. Nripendra Kashyap authorized representative
of NOKIA company in person.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking quashing of FIR No.17 dated 24.04.2010 under Sections 420/486/487 IPC registered at Police Station Division No.3, Ludhiana, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioners contends that FIR has been lodged on behalf of NOKIA company alleging therein that petitioners were selling fake mobile phones which were in fact not manufactured by the NOKIA company and the matter has now been compromised.

The authorized representative of complainant company is present in person and submits that parties have arrived at a compromise.

A co-ordinate Bench of this Court vide order dated 16.11.2016 had directed the parties to appear before the Illaqua Magistrate/trial Court for recording their statements with regard to the veracity of compromise. The Judicial Magistrate Ist Class, Ludhiana, has sent her report dated 08.02.2017, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise has been effected without any fear or undue influence.

In view of the law laid down in "**Narinder Singh Vs. State of Punjab**" 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.17 dated 24.04.2010 under Sections 420/486/487 IPC registered at Police Station Division No.3, Ludhiana and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

(ANUPINDER SINGH GREWAL)
JUDGE

JULY 27, 2017
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Whether speaking/reasoned	:	Yes /	No
Whether reportable	:	Yes /	No