

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

CRM No.M-36332 of 2016 (O&M)

Date of Decision: 27.02.2017

Narinder Kumar

... Petitioner

Versus

State of Punjab & another

... Respondents

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

Present:- Mr. D.S. Kahlon, Advocate for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.47, dated 21.05.2016, under Sections 420/406 IPC read with Section 13(1)(d)(i)(ii)(2) of the Prevention of Corruption Act, registered at Police Station Kanwan, District Pathankot on the basis of compromise which as per counsel has been entered into between the parties.

Allegations against the present petitioner are of having duped the complainant of a sum of Rs.1.37 lakhs against a deal struck for Rs.2.37 lakhs on the pretext of getting grandson of the complainant recruited in the Indian Army.

The matter is stated to be at the stage of investigation.

In the considered view of this Court, the investigation against the backdrop of the allegations cannot be scuttled at the very threshold and on the basis of compromise. These are allegations which are required to be probed and particularly from the aspect of there being involvement of any defence personnel as well.

The instant petition, as such, is held to be premature.

Disposed of as such.

It would be open for the petitioner to approach this Court afresh seeking quashing of the FIR on the basis of the alleged compromise, if the final investigation report reveals that no offence under the provisions of Prevention of Corruption Act is made out.

27.02.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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