

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

Crl. Misc. No. M-38000-2016 (O&M)

Date of decision: May 12, 2017

Deepak Kumar and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr.Gursimran Singh, Advocate
for the petitioners.

Mr.Ashish Sanghi, DAG, Punjab.

Mr.Gurpreet Singh Dhillon, 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.90 dated 9.11.2015 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 380, 420, 448, 506, 511, 120-B, 148, 149 Indian Penal Code (for short 'IPC') at Police Station Bholath, on the basis of the compromise (Annexure P-2).

As per case of the prosecution, FIR was got registered by Ravi Charan Ghai on the allegations that his son Navdeep Ghai had sold his property to Deepak Kumar, Suraj Kumar and others without his consent and permission, who tried to take forcible possession of his property and the matter was reported to the police.

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 P-2.

Learned counsel for respondent No.2-complainant endorsed the submission of learned counsel for the petitioners and 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 15.11.2016 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

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.90 dated 9.11.2015 (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

May 12, 2017

Paritosh Kumar

(SURINDER GUPTA)
JUDGE

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