

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-39920-2016

Date of decision : 21.02.2017

Dinesh Inder

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Vishal Munjal, Advocate
for the petitioner.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. J.S. Sandhu, Advocate
for respondents no.2 & 3.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.98 dated 17.07.2016, registered against the petitioner at Police Station Sadar Patiala, for the alleged commission of offences punishable under Sections 403, 417, 465, 468, 471 IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioner-accused and respondents no. 2 & 3, i.e. the complainants.

Vide an order of this Court dated 09.11.2016, the parties were directed to appear before the learned trial Court / Illaqa Magistrate, to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 09.11.2016, the report of the learned Addl. Chief Judicial Magistrate, Patiala, has been received to the effect that the petitioner and respondents no.2 & 3 appeared before that

between the parties.

As per the learned Judicial Magistrate, the compromise effected between the petitioner and respondents no.2 & 3 is voluntary, without any coercion or undue influence.

Learned counsel for the State, on instructions from ASI Swaroop Singh, submits that there is no other case registered against the petitioner.

Therefore, keeping in view the fact that the parties have compromised the matter with each other, with the complainant no longer wishing to pursue criminal proceedings, further keeping in mind the ratio of the law laid down by the Supreme Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, in the opinion of this Court, it would be pointless to continue with criminal proceedings, especially as there is no other criminal case registered against the petitioner, showing him to be indulging in fraud etc.

Consequently, the petition is allowed and FIR No.98 dated 17.07.2016, registered against the petitioner at Police Station Sadar Patiala, for the alleged commission of offences punishable under Sections 403, 417, 465, 468, 471 IPC, along with all proceedings arising therefrom, is hereby quashed.

(AMOL RATTAN SINGH)
JUDGE

February 21, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No