

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-42942 of 2016

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Date of decision:3.8.2017

Sunil Jindal and others

...Petitioners

v.

State of Punjab and others

...Respondents

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Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sumit Singh Bairagi, Advocate for Mr. S.K. Passi,
Advocate for the petitioners.

Mr. A.S. Dhaliwal, Deputy Advocate General, Punjab
for the respondent-State.

None for the complainant-respondents No.2 and 3.

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Inderjit Singh, J.

This petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.126 dated 20.7.2015 (Annexure-P.1) registered for the offences under Sections 384 and 120-B IPC at Police Station City Kotkapura, District Faridkot and all subsequent proceedings arising therefrom in view of the compromise/affidavit (Annexure-P.2).

The FIR has been registered on the statement of complainant-Jagtar Singh on the allegations that the accused-petitioners are blackmailers. They send one person to their petrol pump on the pretext to give him petrol in a bottle so that he could reach with his car which was parked half

kilometer behind the petrol pump and was having one patient in his car. They refused and then he gave them threatening that if anything happened to the patient, he will break their pump. On this and seeing that the patient was with him, they gave him petrol in the bottle. When the petrol was being filled in the bottle, Dr. Sunil Jindal, who is a reporter of News 24 channel and of Jagbani Newspaper came there and started making movie of their petrol pump and gave threatening that give him ₹20,000/- otherwise, he will show the movie on the channel and also will give photos in newspaper. They refused and he started blackmailing them and also called his wife Dr. Sonali Jindal there, who also started asking for money from them. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before learned trial Court for getting their statements recorded in support of the compromise. After doing the needful, learned Judicial Magistrate Ist Class, Faridkot has sent report dated 13.12.2016 submitting that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

Learned Deputy Advocate General, Punjab, on instructions from the Investigating Officer admits the factum of compromise and submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR in view of the law laid

down by the Hon'ble Supreme Court.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

In a decision, based on compromise, none of the parties is a loser. Rather, compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Therefore, keeping in view the fact that the matter has been amicably settled and in view of the law laid by the Hon'ble Supreme Court in Gian Singh v. State of Punjab and another, 2012 (4) RCR (Cr.) 543, this petition is allowed and FIR No.126 dated 20.7.2015 (Annexure-P.1) registered for the offences under Sections 384 and 120-B IPC at Police Station City Kotkapura, District Faridkot and all subsequent proceedings arising out of the same are hereby quashed qua the petitioners.

August 3, 2017.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No