

CRM-M-45059-2016

[1]

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

(Sr. No.263)

CRM-M-45059-2016

Date of Decision:-April 26, 2017

Dhanesh Chander and another

.....Petitioners

V/S

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present : Mr. Ritesh Pandey, Advocate,
for the petitioners.

Mr. D.S. Virk, DAG Punjab.

Mr. P.S. Ahluwalia, Advocate,
for complainant.

A.B. Chaudhari, J. (Oral)

Heard learned counsel for the rival parties.

The petitioners have filed the present petition under Section 482 of Cr.P.C. for quashing of FIR No.11 dated 10.03.2016 registered under Section 420 of Indian Penal Code, 1860, at Police Station Batala District Gurdaspur and all subsequent proceedings arising out of the same on the basis of compromise dated 04.11.2016 (Annuxure P-2).

Pursuant to the order dated 02.02.2017 made by this Court directing the trial Court/Illaq Magistrate to record the statements of the parties in view of the compromise and verify that the same is genuine or not, this Court has received a report from Judicial Magistrate 1st Class, Batala, showing that the compromise that has been arrived at between the parties is genuine and without any pressure, coercion or undue influence. The FIR is related to the allegation that the petitioners had received ₹10 lacs from the

complainant for sending him abroad.

Since, the parties have arrived at compromise and the compromise deed is annexed with the petition as Annexure-P-2. The offence is of 22.06.2015. A perusal of the compromise deed (Annexure P-2) shows that the parties have settled the matter among themselves in order to live in peace and harmony. I think, the parties can be allowed to enter into the compromise and the FIR in question can be quashed by way of compounding/compromise, however, subject to the payment of costs by the petitioners in the sum of ₹25,000/- with the office of Senior Superintendent of Police, Police District Batala within a period of eight weeks from today, which shall be forfeited to the State government.

In that view of the matter, FIR No.11 dated 10.03.2016 registered under Section 420 of Indian Penal Code, 1860, at Police Station Batala District Gurdaspur is quashed by way of compounding/compromise along with all consequential proceedings arising there from.

In case of failure of payment of costs as aforesaid, the FIR in question shall stand automatically revived and the trial will continue against the petitioners.

Disposed of.

April 26, 2017

Pankaj

(A.B. Chaudhari)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No