

IN THE PUNJAB & HARYANA HIGH COURT AT CHANDIGARH

CRM-M-46448-2016

Date of decision : 21.02.2017

Rupinder Batth and another

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Sandeep Verma, Advocate
for the petitioners.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. G.N.Malik, Advocate
for respondent no.2.

AMOL RATTAN SINGH, J.(ORAL)

By this petition, FIR No.0117 dated 06.07.2016, registered against the petitioners at Police Station Division 5, Ludhiana, for the alleged commission of offences punishable under Sections 420, 465, 467, 120-B IPC, is sought to be quashed, on the basis of a compromise arrived at between the petitioners-accused and respondent no. 2, i.e. the complainant.

Vide an order of this Court dated 09.01.2017, the parties were directed to appear before the learned trial Court, to get their statements recorded, in terms of the compromise.

Pursuant to the order dated 09.01.2017, the report of the learned Addl. Chief Judicial Magistrate, Ludhiana, has been received, stating therein that the statements of the petitioners and respondent no.2, i.e. the complainant, have been recorded, to the effect that they have compromised the matter voluntarily, without any inducement, threat or

On query, learned State counsel, on instructions from ASI Sukhdev Singh, submits that there is no other criminal case registered against the petitioners.

Learned counsel for the petitioners submits that in the complaint filed by respondent no.2, seven persons had been named as those involved in the alleged commission of the offences, but the FIR was registered against only the two petitioners herein.

Keeping in view the nature of the offences and 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 hon'ble 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 the petitioners are not shown to habitual to crime.

Consequently, the petition is allowed and FIR No.0117 dated 06.07.2016, registered against the petitioners at Police Station Division 5, Ludhiana, for the alleged commission of offences punishable under Sections 420, 465, 467, 120-B IPC, along with all proceedings arising therefrom, is hereby quashed. The bail bonds and surety bonds stand discharged and the passport of the petitioners would be returned to them immediately.

(AMOL RATTAN SINGH)
JUDGE

February 21, 2017.

Davinder Kumar

Whether speaking / reasoned

Yes/No

Whether reportable

Yes/No