

**247 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.7669 of 2016
Date of Decision: 16.03.2017**

Narinder Singh and others

.... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Kirat Singh Sidhu, DAG, Punjab
for respondent No.1-State.

Mr. G. S. Rawat, Advocate
for respondent No.2.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.105 dated 31.08.2009, registered under Sections 420, 465, 467, 468, 447 and 120-B IPC, at Police Station Division No.7, Jalandhar, District Jalandhar and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On July 26, 2016, this Court had directed the parties to appear before the trial Court on 19.08.2016 or any other date convenient to the Court for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report along with the statements of the parties with regard to the validity or otherwise of the compromise effected between the parties and also intimate whether any case as also proclamation proceedings is pending against either of the parties.

As directed, report dated 02.03.2017 from the Judicial Magistrate, Ist Class, Jalandhar has been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them and there is no case/proclamation proceedings pending against the accused.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR which pertains to a commercial dispute, which is private in nature, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Haryana and others, 2007 (3) RCR (Criminal), 1052***, I deem it just and proper to allow the petition and resultantly quash the FIR No.105 dated 31.08.2009, registered under Sections 420, 465, 467, 468, 447 and 120-B IPC, at Police Station Division No.7, Jalandhar, District Jalandhar and all proceedings arising therefrom, qua the present petitioners.

March 16, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No