

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-10267 of 2018

Date of decision: 03.07.2018

Santokh Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Bhupinder Pal Kaur Brar, Advocate, for the petitioner.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 77 dated 22.09.2007 (Annexure P-1), registered for offences punishable under Sections 419/420/467/468/471/506/120-B of Indian Penal Code (for short 'IPC') at Police Station Kotwal, District Patiala along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

Reply by way of affidavit of Deputy Superintendent of Police, Circle Nabha, District Patiala filed by learned State counsel is taken on record.

As per allegations in the FIR, petitioners have committed fraud with complainant-respondent no. 2 by showing him the land of some other person and entering into agreement to sell the same whereby they received earnest money of ₹45 lakhs in cash from him.

The matter has since been settled vide compromise dated 20.02.2018, copy of which has been placed on file as Annexure P-2.

Learned State counsel has not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 27.03.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any coercion or undue pressure.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and impugned FIR No. 77 dated 22.09.2007 (Annexure P-1), registered at Police Station Kotwal, District Patiala along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 03, 2018

jk.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No