

**IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH**

**Crl. Misc. No. M-11405 of 2018 (O&M)**

**Date of decision: August 02, 2018**

Krishan Kumar Malhotra

.. Petitioner

Versus

State of Punjab and others

.. Respondents

**CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA**

Present: Mr. Jatinder Kumar Sharma, Advocate  
for the petitioner.

Mr. Karanbir Singh, Asstt. AG, Punjab.

None for respondent no.2.

Mr. Shailendra Sharma, Advocate  
for respondent No.4.

**SURINDER GUPTA, J.(Oral)**

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.44 dated 30.6.2011 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offences punishable under Sections 419/465/467/468/471/120-B/420/511 of Indian Penal Code (for short 'IPC') at Police Station Mullanpur Gribdas (SAS Nagar), on the basis of the compromise (Annexure P-2).

As per case of the prosecution, petitioner in connivance with other accused has fabricated an agreement to sell dated 13.4.2008 relating to the property of respondent no.2 but this agreement was never executed by respondent no.2-Naib Singh and he has also not received earnest money of ₹10 lakhs.

Learned counsel for the petitioner submits that the matter has

since been settled vide compromise, copy of which has been placed on file

as Annexure P-2.

Learned counsel for respondent No.4 endorsed the submission of learned counsel for the petitioner and has no objection if the impugned FIR (Annexure P1) is quashed.

Learned State counsel has also 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 14.6.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

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 the impugned FIR (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

**August 02, 2018**  
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**(SURINDER GUPTA)**  
**JUDGE**

***Whether speaking/reasoned: Yes/No***  
***Whether Reportable: Yes/No***