

CRM No. M-13531 of 2018

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

**CRM No. M-13531 of 2018
Decided on : 23.05.2018**

Supinder Singh and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Saransh Sabharwal, Advocate for
Mr. S.P.S. Sidhu, Advocate for the petitioners.

Mr. K.S. Aulakh, Advocate, Deputy Advocate General, Punjab.

Mr. Arshvir Sandhu, Advocate for respondent No. 2.

Anupinder Singh Grewal, J.(Oral)

The petitioners are seeking quashing of FIR No. 101, dated 05.06.2015, under Sections 364A, 382, 392, 342, 500 and 120-B IPC, registered at Police Station Mataur, District SAS Nagar (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that the allegations in the FIR would not prima facie constitute an offence under Section 364-A IPC as it is alleged that the accused tried to extort money from the complainant, who was taken to the Allahabad Bank. No money was paid and the complainant was present at the Allahabad Bank when he had called the police and got the FIR registered. He also contends that the FIR was lodged as there was a monetary dispute

between the parties, which has now been resolved and the matter has been compromised.

Vide order dated 02.04.2018 a Co-ordinate Bench of this Court had directed the parties to appear before the trial Court/Illaqa Magistrate for recording their statements with regard to veracity of the compromise. Report of Additional Sessions Judge, SAS Nagar (Mohali), dated 16.04.2018 has been received, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise is genuine and without any coercion or pressure.

The FIR is stated to be an outcome of a monetary dispute between the parties, which has now been resolved and the matter has been compromised.

In view of the law laid down in “*Narinder Singh Vs. State of Punjab*” 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 101, dated 05.06.2015, under Sections 364A, 382, 392, 342, 500 and 120-B IPC, registered at Police Station Mataur, District SAS Nagar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 23, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No