

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-18937 of 2018 (O&M)

Date of decision: 27.08.2018

Jai Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Vinay Begra, Advocate
for Mr. Vikas Cuccria, Advocate
for the petitioner.

Mr. Amitoj S. Dhaliwal, DAG, Punjab.

Mr. K.S. Khaira, Advocate
for Mr. R. Kartikeya, Advocate
for respondent no. 2.

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.103 dated 18.06.2017 (Annexure P-1), registered for offence punishable under Section 406 of Indian Penal Code (for short 'IPC') at Police Station Sadar Hoshiarpur, District Hoshiarpur, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

Case was registered on the statement of respondent no. 1, wherein he has stated that in the business transaction, petitioner has cheated him of ₹18,40,000/-. He (petitioner) vide agreement dated 21.07.2016 admitted his guilt and agreed to return entire money by 31.01.2017.

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.2-complainant has

submitted that in view of the compromise (Annexure P-2), respondent no. 2-complainant has no objection if the impugned FIR (Annexure P-1) 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 30.07.2018 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 influence or 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 the impugned FIR no. 103 dated 18.06.2017 (Annexure P-1) registered at Police Station Sadar Hoshiarpur, District Hoshiarpur along with all consequential proceedings arising therefrom, qua petitioner, is quashed.

August 27, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No