

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-22196 of 2018

Date of decision: 09.10.2018

Sunny Kumar and another

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. G.S. Virk, Advocate
for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Sarthak Gupta, Advocate
for respondent no. 2.

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.156 dated 20.04.2018 (Annexure P-1), registered for offences punishable under Sections 420/120-B of Indian Penal Code (for short 'IPC') and 10 of The Immigration Act, 1924 at Police Station Jodhewal, District Ludhiana, along with all consequential proceedings arising therefrom, on the basis of compromise dated 04.05.2018 (Annexure P-2).

As per allegations in the FIR, complainant had paid ₹51,000/- to M/s M. Visa Consultancy, which after receiving the amount, closed its office and cheated the complainant.

Learned counsel for the petitioners 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 08.08.2018 stating therein that the compromise has been effected between the complainant and the accused which appears to be amicable and without any threat, coercion 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 impugned FIR No.156 dated 20.04.2018 (Annexure P-1), registered for offences punishable under Sections 420/120-B of IPC and 10 of The Immigration Act, 1924 at Police Station Jodhewal, District Ludhiana, along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

October 09, 2018

jk

**(SURINDER GUPTA)
JUDGE**

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