

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

Crl. Misc. No. M-22200 of 2018 (O&M)

Date of decision: August 13, 2018

Avtar Singh and others

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Munish Raj Chaudharya, Advocate
for the petitioners.

Mr. Sandeep Kumar, D.A.G., 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. 46 dated 29.03.2018 (Annexure P-1), registered for offence punishable under Section 420 read with Section 120-B of Indian Penal Code (for short 'IPC') at Police Station Sadar Dhuri, District Sangrur along with all consequential proceedings arising therefrom, on the basis of compromise in the shape of affidavit (Annexure P-2).

As per case of prosecution, the accused persons (petitioners here in) have committed fraud and cheated complainant-respondent No. 2 and his family members for more than ₹18 lakhs in connivance with each other.

Learned counsel for the petitioners submits that the family dispute between the parties has been amicably resolved. Petitioners No. 1 and 2 are father-in-law and mother-in-law of complainant while petitioner No. 3 is his wife. As per affidavit (Annexure P-2), all the misunderstandings

have since been resolved and the matter has been compromised.

Learned State counsel has also not disputed compromise in the shape of affidavit (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 04.07.2018 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 FIR No. 46 dated 29.03.2018 registered at Police Station Sadar Dhuri, District Sangrur (Annexure P-1) along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

August 13, 2018
Jyoti-II

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No