

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

CRM-M-22299-2017

Date of decision: - 11.01.2018

Gaurav Monga and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sumeet Singh Arora, Advocate
for the petitioners.

Mr. Harbir Sandhu, AAG, Punjab.

Mr. Amandeep Singh, Advocate
for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition is filed praying for quashing FIR No.101 dated 13.05.2017, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Gate Hakima, District Amritsar, on the basis of compromise entered into between the parties.

2. It is contended by learned counsel for the petitioners and acknowledged by learned counsel for respondent No.2-complainant that petitioner No.2-Subhash Chander is no more as he has expired. It is further contended by learned counsel for the petitioners that he does not want to press the present petition qua him (petitioner No.2).

3. In view of above, the present petition qua petitioner No.2 is rendered infructuous.

4. Heard.

5. Both the parties were directed by this Court vide order dated 25.07.2017 to appear before the learned Illaqa Magistrate and get their statements recorded and in pursuance thereof, learned Judicial Magistrate (1st Class), Amritsar, recorded the statements of both the parties and submitted a report dated 25.08.2017. A perusal of the report reveals that the compromise entered into between the parties is genuine, voluntarily and out of free will of the parties although it is mentioned that Subhash Chander (petitioner No.2) did not appear to record the statement.

6. Inasmuch as the dispute between the parties has been amicably settled and they have already entered into compromise, continuance of the prosecution would be an exercise in futility. Therefore, the aforesaid FIR and all consequent proceedings resulting therefrom qua petitioner No.1 are quashed.

7. Petition is allowed.

(MAHABIR SINGH SINDHU)
JUDGE

January 11, 2018
naresh.k

Whether reportable?	No
Whether reasoned/speaking?	No