

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

CRM-M-24261-2015

Date of Decision:18.01.2018

Anil Kumar

.....Petitioner

Vs.

State of Punjab and another

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.Jashandeep S. Sandhu, Advocate for
for the petitioner.

Mr. Bhupender Beniwal, A.A.G., Punjab.

AMOL RATTAN SINGH, J. (Oral)

By this petition, quashing of FIR No.209, dated 27.11.2013 is sought, registered against the petitioner at Police Station City, Kharar, District SAS Nagar, Mohali, for the alleged commission of offences punishable under Sections 420/120-B IPC; on the basis of a compromise arrived at between the petitioner (accused) and respondent no. 2 (complainant).

Vide an order of this Court dated 03.09.2015, the parties were directed to appear before the trial Court to get their statements recorded, in terms of the compromise.

Pursuant to that order of this Court, a report dated 23.08.2016, of the learned Sub Divisional Judicial Magistrate, Kharar, has been received, firstly giving an explanation as to why no report had been sent for such a long time to this Court, with the Magistrate stating that as a matter of fact the aforesaid order of this Court itself was received by her on 03.08.2016, after she had joined duty on 28.04.2016, and infact even the petitioner and respondent no.2, have stated that they had not moved any application prior thereto for recording their statements, even pursuant to the aforesaid order of this Court.

As regards the explanation it is accepted, especially as the

statements of the petitioner and respondent no.2 have now been recorded, to the effect that they have arrived at a compromise with each other wholly of their own will, with respondent no.2 stating that he has no objection if the FIR in question and consequential proceedings thereto, against the petitioner, is quashed.

Learned counsel for the petitioner submits that there is no other criminal case registered against the petitioner and infact he is working as an LIC Officer, and the dispute arose between the parties who actually, earlier, were friends.

That being so, and the parties having come to amicable terms, with the learned Sub Divisional Judicial Magistrate reporting that as per her assessment the compromise has been effected voluntarily without any undue coercion and influence, which again is not denied by learned counsel for respondent no.2, I see no purpose in continuing with the criminal proceedings against the petitioner.

Consequently, the petition is allowed and FIR No. 209 dated 27.11.2013, registered against the petitioner at police Station City, Kharar, District SAS Nagar, Mohali, for the alleged alleged commission of offences punishable under Sections 420/120-B IPC, alongwith all consequential proceedings emanating therefrom, is hereby quashed.

January 18, 2018

dharamvir/dinesh

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO