

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

CRM-M-29607 of 2017

Date of Decision: 28.08.2018

Mahesh Chander and another

... Petitioners

Vs.

State of Punjab and another

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ankur Bansal, Advocate
for the petitioners.

Mr. Sukhbeer Singh, A.A.G. Punjab.

Mr. Atul Kaushik, Advocate
for respondent No.2.

P.B. BAJANTHRI J. (Oral)

In the instant petition, petitioners have sought for quashing of FIR No.72 dated 01.04.2017 under Sections 420/465/467/468/120-B IPC registered at Police Station Phillaur, District Jalandhar along with all consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. By the intervention of the respectable friends, matter was compromised.

3. Both the petitioners have entered into a compromise vide Annexure P-2 with respondent No.2 (complainant). This Court by order dated 16.08.2017 directed the parties to appear before the trial Court/Area Magistrate for recording their statements with regard to veracity of compromise. It has been recorded by the Sub Divisional Judicial Magistrate, Phillaur and a report in this regard has been sent to this Court vide letter dated 21.09.2017 from which it is evident that compromise Annexure P-2 is genuine, voluntary and without any coercion or undue influence.

4. As per report of Sub Divisional Judicial Magistrate, Phillaur, there are two more accused namely Kuldeep Singh and Vinod Kumar. But no compromise effected with them. Learned counsel for the petitioner relied on *Lovely Salhotra and another v. State NCT of Delhi and another*; 2017 (3) RCR (Criminal) 85 wherein it is held that partial quashing of FIR against some of the accused is permissible.

5. In view of the law laid down in *Anita Maria Dias and another v. State of Maharashtra and another*; (2018) 3 SCC 290, no useful purpose will be served by continuing the criminal proceedings and in view of the decision passed in *Lovely Salhotra and another v. State NCT of Delhi and another*; 2017 (3) RCR (Criminal) 85, present petition is allowed and FIR No.72 dated 01.04.2017 under Sections 420/465/467/468/120-B IPC registered at Police Station Phillaur, District Jalandhar along with all consequential proceedings arising therefrom are hereby quashed qua the petitioners only subject to payment of litigation cost of Rs.5000/- by each of the petitioner. Cost shall be remitted in the Treasury, State of Punjab, within a period of 2 months from today.

28.08.2018

rajeev

(P.B. Bajanthri)

Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No