

In the High Court of Punjab and Haryana at Chandigarh

CRM M-41192 of 2012 (O&M)

Date of Decision: July 27, 2018

Gurcharan Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

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

Present: Mr. Charanpal Singh Bagri, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab..

Mr. Navpreet Singh, Advocate,
for respondent no.3 – S.B.I.

P.B. Bajanthri, J. (Oral)

1. In the present petition, petitioners are seeking quashing of FIR No. 101, dated 13.08.2009, under Sections 406, 420 IPC, registered at Police Station Khamano, District Fatehgarh Sahib along with all subsequent proceedings arising therefrom, on the basis of application for compounding the offences given by respondent No.2 (Annexure P/2) as well as clarification (Annexure P/3) issued by respondent Bank.

2. This Court vide order dated 01.03.2018 had directed the parties to appear before the trial Court / Illaqa Magistrate for the purpose of recording their statements with regard to veracity of the compromise. The Sub Divisional Judicial Magistrate, Khamanon has sent her report dated 26.03.2018 wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise

has been effected without any fear or undue influence.

3. In view of the law laid down in *Narinder Singh vs. State of Punjab* reported in **(2014) 6 SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, present petition is allowed and FIR No. 101, dated 13.08.2009, under Sections 406, 420 IPC, registered at Police Station Khamano, District Fatehgarh Sahib along with all subsequent proceedings arising therefrom are hereby set aside subject to payment of litigation cost of Rs. 5,000/- by each of the petitioner to the Treasury, State of Punjab within a period of two months from today.

July 27, 2018
vkd

[P.B. Bajanthri]
Judge

Whether reasoned / speaking : Yes

Whether reportable : No