

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
259**

CRM-M-38766-2017

Date of decision: 26.04.2018

Rakesh Singla

...PETITIONER

VERSUS

State of Punjab and another

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Iqbal S. Mann, Advocate,
for the petitioner.

Mr. Dhruv Dayal, Sr. Deputy Advocate General, Punjab,
for the State.

Mr. Arshdeep Singh Sivia, Advocate,
for respondent No. 2.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Prayer in this petition is for quashing of FIR No. 137 dated 11.11.2016 (Annexure P-1) under Section 420 IPC registered at Police Station Sadar, Sri Muktsar Sahib and all consequential proceedings arising therefrom in the light of the compromise dated 25.09.2017 (Annexure P-2).

On 12.10.2017, notice of motion was issued by this Court and the parties were directed to appear before the trial Court to get their statements recorded with reference to the compromise, which has been entered into between the parties, referred to above.

In pursuance to the said order, the parties appeared before the Additional Chief Judicial Magistrate, Sri Muktsar Sahib on 27.10.2017 and got recorded their respective statements. In pursuance to the statements given by the parties, the learned Additional Chief Judicial Magistrate, Sri Muktsar Sahib has submitted a report dated 01.11.2017. As per the said report, the compromise dated 25.09.2017 (Annexure P-2) entered into between the parties is genuine, voluntary and free from pressure, coercion

or undue influence.

In the light of the said report, counsel for the the petitioner and counsel for respondent No. 2-complainant pray that the present petition may be allowed. Counsel for respondent No. 2 acknowledges the factum of compromise, which has been entered into between the parties. He further states that the complainant has no objection if the present petition is allowed as the matter has been amicable resolved and there is no further dispute between the parties. Further the dispute between the parties was relatable to a business transaction and as of now, there is none.

Keeping in view the fact that the parties have resolved their dispute, which was primarily commercial in nature, the interest of justice would be duly served by putting to end of the said dispute.

In the light of the above and keeping in view the ratio of the judgment of the Supreme Court in **Narinder Singh vs. State of Punjab**, 2014 (2) RCR (Criminal) 482 and Full Bench judgment of this Court in **Kulwinder Singh and others vs. State of Punjab and another**, 2007 (3) RCR (Criminal) 1052 and Crl. Appeal No. 1723 of 2017 titled as **Parbatbhai Aahir @ Parbatbhai Bhimsinhbhai Karmur vs. State of Gujarat and another**, decided on 04.10.2017, the present petition is allowed. FIR No. 137 dated 11.11.2016 (Annexure P-1) under Section 420 IPC registered at Police Station Sadar, Sri Muktsar Sahib and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

April 26, 2018

pj

**(AUGUSTINE GEORGE MASIH)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No