

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

**CRM-M-49193-2017 (O&M)
Date of Decision:12.02.2018**

Bahadur Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HONBLE MR. JUSTICE SUDIP AHLUWALIA

Present: Ms. Ritu Punj, Advocate
for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

Mr. Tribhawan Singla, Advocate
for applicants-respondents No.2 and 3.

SUDIP AHLUWALIA J. (ORAL)

CRM-3621and 3622-2018

Applicants- respondents No.2 and 3 are permitted to place on record their separate replies by way of affidavit.

CRMs stand disposed of.

CRM-M-49193-2017

1. In this petition, the petitioner, who is an NRI, seeks quashing of FIR No.104 dated 10.06.2011, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Raikot, District Ludhiana (Annexure P-6) as well as the impugned order (Annexure P-8) vide which he was declared a Proclaimed Offender.

2. The FIR was originally lodged against various persons alleging cheating by impersonation in the matter of preparation of forged power of attorney. The petitioner was alleged to have signed as a witness on the aforesaid document, and it was alleged that the executant of the relevant

document was actually an impostor.

3. After having signed as an attesting witness, the petitioner routinely left for Canada.

4. The criminal proceedings were subsequently drawn up on the basis of the FIR lodged by the complainant. But the trial ended in the acquittal of the co-accused persons, since the impugned thumb impression of the executant in the disputed document was determined to be indecipherable.

5. As such, the learned trial Court essentially held that the allegation of forgery/impersonation did not stand proved.

6. Learned counsel for respondents No.2 and 3 submits that parties have entered into amicable settlement on account of which his clients have no objection in quashing the impugned FIR as well as the order dated 31.05.2012.

7. In this view of the matter and also considering the subsequent compromise arrived at between the petitioner and the original complainant Kartar Singh, which is evident from his affidavit (Annexure P-15), in which it has been specifically mentioned that he has no grievance against the present petitioner at this stage.

8. Therefore, keeping in view of the decision of the Hon'ble Supreme Court in "***Gian Singh Vs. State of Punjab and another***", 2012(4) RCR (Criminal) 543 and "***Narinder Singh and Others Vs. State of Punjab and Another***", (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant i.e respondent No.2 has themselves compromised the

dispute with the petitioner/ accused person.

9. In the circumstances, the present petition is allowed. FIR No.104 dated 10.06.2011, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC at Police Station Raikot, District Ludhiana (Annexure P-6) as well as the impugned order (Annexure P-8) vide which he was declared a Proclaimed Offender, are hereby quashed on the basis of compromise qua the present petitioner.

12.02.2018

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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No