

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

(119)

Crl. Misc. No.M-5905 of 2018 (O&M)

Date of Decision: 15.05.2018

Amrit Pal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. AGS Dhillon, Advocate, for the petitioner.
Mr. V.G. Jauhar, Sr. DAG, Punjab.
Mr. Vivek Singla, Advocate, for respondent no.2

Amol Rattan Singh, J. (Oral)

Pursuant to notice having been issued on February 14, 2018, Mr. Vivek Singla, Advocate, appears for respondents no.2 and 3. With a power of attorney in his favour already filed from respondent no.2, he has filed today a power of attorney on behalf of respondent no.3.

Pursuant to the aforesaid order of this Court, the report of the learned Additional District & Sessions Judge, SAS Nagar Mohali, has been received, to the effect that the statement of the complainant, i.e. respondent no.2, Sanjeev Goyal, has been recorded before that Court, stating that he has compromised the matter with the accused (petitioner), as per the compromise deed, Ex.C-1 before that court (which as per Mr. Singla is the same as has been annexed as Annexure P-2 with this petition).

Similarly, the statement of Khazanchi Lal Garg has also been annexed with the report of the learned Additional District Judge, in effect also stating in the same terms as the statement of respondent no.2.

The statement of the petitioner, Amrit Pal Singh, was also

recorded in support of the compromise by that Court.

Mr. Singla however further submits that as per clause (b) of para 1 of the compromise deed, the petitioner is also to withdraw his complaint instituted under Section 138 of the Negotiable Instruments Act, 1881, against M/s Chandigarh Petro Foam Ltd., as is stated to be pending before the learned JMIC, Chandigarh.

That being so and the allegations being what they are, though another FIR is also stated to have been registered against the petitioner by a different complainant, with a cancellation report stated to have been submitted by the police in that case; consequently, with the petitioner, as also respondents no.2 and 3 stated to be the Directors of a company and the dispute actually arising within the company, this petition is allowed and FIR no.60 dated 19.04.1999, registered at Police Station Mohali, District Mohali, for the alleged commission of offences punishable under Sections 420, 465, 468, 471, 379 and 120-B IPC, along with all proceedings emanating therefrom, is hereby quashed, with the parties held bound to the terms of the compromise, including withdrawal of the complaint by the petitioner as has been referred to herein above.

15.05.2018
vcgarg

(AMOL RATTAN SINGH)
JUDGE

Whether reasoned/speaking: Yes
Whether reportable: Yes