

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

Crl. Misc. No. M-12145 of 2019 (O&M)

Date of decision: November 26, 2019

Amandeep Singh

.. Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Rajiv Joshi, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, A.A.G. Punjab.

Ms. Amandeep Kaur, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.167 dated 21.10.2018 (Annexure P-1), registered for offences punishable under Sections 406, 420 read with Section 120-B of Indian Penal Code (for short 'IPC') at Police Station Goraya, Jalandhar, along with all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

As per case of the prosecution, petitioner along with Bhagwant Singh and Jatinder Kumar Jatin duped the complainant of a sum of ₹23 lakhs on the assurance of giving him interest and 10% of total profit in their project of making Punjabi feature film.

Learned counsel for the petitioner submits that petitioner and complainant are related to each other and due to intervention of relatives and friends, the matter has since been settled vide compromise, copy of which has been placed on file as Annexure P-2.

Learned counsel for respondent No.2-complainant endorses the submission of learned counsel for the petitioner and has no objection if the impugned FIR (Annexure P-1) is quashed.

Learned State counsel has also not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. Learned trial court has sent its report dated 06.08.2019 stating therein that the compromise has been effected between the complainant and the accused (petitioner) which appears to be genuine, voluntary and without any coercion or undue influence. Other accused Bhagwant Singh has already been declared proclaimed offender in this case.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR qua petitioner should be quashed. Keeping the case pending against him will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR No.167 dated 21.10.2018 (Annexure P-1),

Section 120-B IPC at Police Station Goraya, Jalandhar along with all consequential proceedings arising therefrom, qua petitioner only, is quashed.

Since other accused Bhagwant Singh Kang has been declared proclaimed offender, the case against him shall be revived as and when he is arrested in this case.

(SURINDER GUPTA)
JUDGE

November 26, 2019

Sachin M.

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No