

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20750 of 2019

Date of decision: 16.07.2019

Karam Singh and others

.. Petitioners

Versus

State of Punjab

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Ms. Manpreet Kaur, Advocate
for Mr. A.D.S. Jattana, Advocate
for the petitioners.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.59 dated 06.03.2019 (Annexure P-1), registered for offences punishable under Sections 419, 420 read with Section 120-B of Indian Penal Code (for short 'IPC') at Police Station City Kharar, District SAS Nagar, along with all consequential proceedings arising therefrom, on the basis of compromise dated 22.04.2019 (Annexure P-2).

As per case of the prosecution, petitioners have sold the land of complainant on the basis of fake power of attorney.

Learned counsel for the petitioners submits that 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 has submitted that in view of the compromise (Annexure P-2), respondent no. 2-complainant 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. The trial court has sent its report dated 03.07.2019 stating therein that the compromise has been effected between the complainant and the accused which appears to be genuine, voluntary in nature and without any threat, force or coercion.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending 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.59 dated 06.03.2019 (Annexure P-1), registered for offences punishable under Sections 419, 420 read with Section 120-B 'IPC' at Police Station City Kharar, District SAS Nagar along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

July 16, 2019
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No