

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36490 of 2019 in/and
CRM-M-47845 of 2019
Date of Decision: 06.12.2019

Nitin Bajaj and others

..... Petitioners

versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. G.S. Bawa, Advocate,
for the applicant-petitioners.

Mr. B.S. Sewak, Addl. A.G. Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Though this court had directed the parties to appear before the learned Area Magistrate concerned to record their statements in terms of the compromise stated to have been reached between them, the report of that court, dated 03.12.2019, is to the effect that the complainant, i.e. respondent no.2 Akashdeep Singh Mann, had not appeared to record such statement.

However, learned counsel for respondent no.2 appears and has filed a power of attorney executed in his favour by the attorney of respondent no.2, Akashdeep Singh Mann, i.e. his father Shri Harpal Singh Mann, with the special power of attorney shown to be executed on 21.10.2014 before a Notary Public.

The attorney, Shri Harpal Singh Mann, is present in court and by way of identity has produced his Aadhar card and shown it in court.

Upon query put to him as to whether his son had entered into a compromise on account of any pressure put upon him, he submits that it was not so and the compromise has been arrived at wholly voluntary by his son, who has now gone abroad and therefore has authorised him to appear as his attorney in this petition, by which the petitioners seek quashing of the FIR registered at the instance of his son, Akashdeep Singh Mann.

That being so, looking also at the fact that the compromise/settlement was arrived at before the learned Mediator in the Mediation and Conciliation Centre of this court on October 20.2019, with the matter having been referred to the learned Mediator pursuant to an order passed by by this court in CRM-M-22776 and 25761 of 2018, by which the petitioners, Nitin Bajaj and Shobhit Jasrotia, had sought the concession of anticipatory bail, also looking at the nature of the offences alleged to have been committed, the petition is allowed with FIR no.29 dated 29.03.2018, registered against the petitioners at Police Station Cantt. Bathinda, District Bathinda, for the alleged commission of offences punishable under Sections 420 read with Section 120-B of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

The Special Power of Attorney submitted by learned counsel for respondent no.2 and executed by respondent no.2, Akashdeep Singh Mann, in favour of his father and attorney Shri Harpal Singh Mann, is ordered to be taken on record.

December 06, 2019
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No.