

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

**CRM-M-31473 of 2020 (O&M)
Date of Decision:08.10.2020**

Manjit Kaur Sahi

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. Amandeep Singh Saini, Advocate for the petitioner.

TEJINDER SINGH DHINDSA J.(Oral)

This case has been taken up through Video Conferencing via Webex facility in the light of Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.80 dated 19.08.2010, under Sections 420 and 406 IPC, registered at Police Station Subhanpur, District Kapurthala, on the basis of a compromise dated 08.09.2010 which as per counsel has been entered into between the parties.

It has gone undisputed that earlier in point of time CRM-M-29300 of 2010 had also been filed seeking quashing of the same very FIR and which was dismissed on 12.10.2010 in terms of the following order:-

*“The petition has been filed seeking quashing of FIR
No.80 dated 19.8.2010 (Annexure P-1) registered at Police Station
Subhanpur, District Kapurthala for the offences under Sections
420 and 406 IPC.*

In terms of Section 320 (2) Cr.P.C. the offence under Section 406 IPC is compoundable with the owner of the property in respect of which the breach of trust has been committed. The offence under Section 420 IPC is compoundable with the person cheated. The said offences are compoundable with the permission of the Court. Therefore, the petitioners may seek their remedy of compounding of offences in the first instance.

Consequently, the criminal miscellaneous petition is dismissed.”

Confronted with such a situation, counsel seeks withdrawal of the instant petition with liberty to avail of alternate remedy as may be available in accordance with law.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

October 08, 2020

shweta

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No