

CRM-M-51566-2019
Date of Decision: 14.02.2020.

Mohinder Singh and Anr ... Petitioners
vs.
State of Punjab and Another .. Respondents

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Avtar S. Khinda, Advocate, for the petitioners.

Ms. Sakshi Bakshi, AAG, Punjab.

Mr. Harjinder Singh, Advocate, for respondent No.2.

VIVEK PURI, J.(ORAL)

Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.61 dated 23.06.2010, under sections 420/120-B IPC registered at Police Station Sadar, Kapurthala and all the subsequent proceedings arising therefrom, on the basis of compromise dated 09.10.2019.

Precisely, the allegations are to the effect that the complainant had purchased the property owned by petitioner No.2 in an auction proceedings and had deposited the entire bid amount. When efforts were made for entering the mutation, it revealed that petitioner No.2 had sold the property to petitioner No.1.

Petitioners were convicted and sentenced by the learned trial Court and the matter is pending in appeal. A compromise has been effected between the parties and an amount of Rs.12 lakhs has been paid to complainant/respondent No.2 by the petitioners.

On 05.12.2019, notice of motion was issued and parties were directed to appear before the Appellate Court for getting their statements recorded with regard to the compromise.

Pursuant to above-said order dated 05.12.2019, report has been received from District & Sessions Judge, Kapurthala, the relevant portion whereof reads as under:-

“Both the parties in their respective statements stated that a compromise has been effected between them without any pressure or coercion.

As per statements of both the parties and as per satisfaction of this Court, this compromise is genuine, voluntary and without any coercion or undue influence.”

Learned counsel appearing on behalf of the parties admit that the parties have settled their dispute.

In view of said circumstances and following the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and others 2007(3) R.C.R. (Criminal) 1052**, the present petition is allowed and FIR No.61 dated 23.06.2010, under sections 420/120-B IPC registered at Police Station Sadar, Kapurthala and all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

(VIVEK PURI)
JUDGE

14.02.2020.
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Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No