

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

CRM-30067-2021 in
CRM-M-3923-2020
Date of Decision: 22.09.2021

SUKHVINDER SINGH AND ANRPETITIONERS

Versus

STATE OF PUNJAB AND ORS.RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Vishal Munjal, Advocate,
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Sunil Agnihotri, Advocate,
for respondents No.2 and 3.

SANT PARKASH J.

*(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court)*

CM-30067-2021

Prayer in this application under Section 482 Cr.P.C. is for pre-poning the date of hearing of the main case, which is fixed for 23.11.2021, on the ground that the statements of the parties have been recorded.

Heard.

For the reasons mentioned in the application, same is allowed, hearing of the main case, which is fixed for 23.11.2021, is pre-poned and is taken up today for hearing and final disposal.

CRM stands disposed of.

CRM-M-3923-2020

Present petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.74, dated 05.08.2016, registered under Sections 420, 406, 506 IPC at Police Station Sujanpur, Tehsil and District Pathankot and all other consequential proceedings arising therefrom on the basis of compromise dated 08.12.2018 (Annexure P-2).

The allegations against the petitioners in the aforesaid FIR are that they hatched a criminal conspiracy and defraud the complainant by issuing two cheques amounting to Rs.1,00,00,000/- on account of the balance sale consideration but the same were dishonoured on presentation. Now, with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, this Court vide order dated 30.01.2020 had directed the parties to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the aforesaid order, a report has been received from Chief Judicial Magistrate, Pathankot at "Annexure- A" stating therein that the statements of the parties are not the result of any pressure or coercion or undue influence and their compromise is voluntary and without any threat or force.

Learned State counsel and learned counsel appearing on behalf of respondents No.2 and 3 admit the factum of compromise and submit that they have no objection to the quashing of the FIR.

I have heard learned counsel for the parties and have gone through the record.

After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in ***"Narinder Singh and others vs. State of Punjab and another"***, (2014) 6 SCC 466, this petition is allowed and FIR No. 74, dated 05.08.2016, registered under Sections 420, 406, 506 IPC at Police Station Sujanpur, Tehsil and District Pathankot and all other consequential proceedings arising out of the same are quashed qua the petitioners.

**(SANT PARKASH)
JUDGE**

22.09.2021
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whether speaking/reasoned: Yes/No
whether reportable: Yes/No