

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

Sr. No.116

**CRM-42333-2021 in/and
CRM-M-25359-2021 (O&M)
Date of Decision: 16.12.2021**

Nutan Sharma

.... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Manu K.Bhandari, Advocate
for the applicant-petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. J.S.Toor, Advocate
for respondent No.2-complainant.

SANT PARKASH, J. (ORAL)

CRM-42333-2021

Prayer in the instant application is for preponement of the main petition bearing No.CRM-M-25359 of 2021, which is fixed for 15.02.2022, on the ground that in compliance of orders dated 07.07.2021 passed by this Court, the statements of both the parties have been recorded and in this regard, report of learned Sub Divisional Judicial Magistrate, Khamanon (Flag 'A') has also been received. It has further been submitted that the petitioner has applied for the post of Professor in Himachal Pradesh University and the interview is likely to take place in the fourth week of December, 2021.

In view of the above, the application is allowed. The main petition bearing No.CRM-M-25359 of 2021 is preponed and taken on board today itself.

CRM-M-25359 of 2021

In pursuance of the orders dated 07.07.2021 passed by this Court, a report has been received from learned Sub Divisional Judicial Magistrate, Khamanon (Flag 'A') stating therein that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned State counsel and learned counsel appearing for respondent No.2-complainant 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.0029 dated 25.03.2021, registered under Sections 417, 419 IPC and Section 66D of IT Act, at Police Station Khamanon, District Fatehgarh Sahib and all subsequent proceedings arising therefrom, are quashed qua the petitioner.

**(SANT PARKASH)
JUDGE**

16.12.2021
Maninder

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No