

IN THE HIGH COURT OF PUNJAB AND HARYANA,
AT CHANDIGARH

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CRM-M-26226 of 2021 (O&M)

Date of decision : 09.12.2021

Madan Gopal Singh and others

... Petitioners

Versus

State of U.T.Chandigarh and another

.. Respondents

CORAM : HON'BLE MR.JUSTICE SANT PARKASH

Present : Mr.Virat Rana, Advocate
for the petitioners.

Mr.Ashu Mohan Punchhi, PP, U.T.Chandigarh with
Mr.Sandeep Bansal, Advocate for respondent No.1.

Mr.Pancy Singh Soni, Advocate for respondent No.2.

Sant Parkash, J.

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.84 dated 24.03.2021, registered under Section 420 IPC, (later on Section 120-B IPC has been added) at Police Station Sector 39, Chandigarh and all subsequent proceedings arising therefrom in view of the compromise dated 24.05.2021 (Annexure P-2) as well as full Bench decision of this Court in Kulwinder Singh and others Vs. State of Punjab and another, 2007 (3) RCR (Crl.), 1052.

The allegation against the petitioners in the said FIR is of having committed cheating of Rs.16 lacs on the pretext of executing sale deed of House No.344, Sector 41-A, Chandigarh. Now, 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 orders dated 12.07.2021 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 orders, a report dated 16.11.2021 has been received from Judicial Magistrate, 1st Class, Chandigarh (Annexure-B) 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.84 dated 24.03.2021, registered under Sections 420 IPC, (later on Section 120-B IPC has been added) at Police Station Sector 39, Chandigarh and all subsequent proceedings arising out of the same are quashed qua the petitioners.

09.12.2021
sd

(SANT PARKASH)
JUDGE

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