

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM-M No.31488 of 2021 (O&M)

Date of Decision:07.12.2021

Mohit Batta and another

...Petitioners

Versus

State of Punjab and others

...Respondents

**CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. Rishabh Singla, Advocate for  
Mr. Deepanshu Mehta, Advocate  
for the petitioners.

Ms. Rashmi Attri, AAG, Punjab.

Mr. Himanshu Mehta, Advocate  
for respondent No.2- complainant.

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**JAISHREE THAKUR, J. (ORAL)**

1. Receipt for an amount of Rs.25,000/- deposited with the Chief Minister Punjab Covid Relief Fund is taken on record.

2. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No.121 dated 09.07.2015 registered under Sections 420, 342, 506, 120-B IPC at Police Station City Moga, District Moga (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 14.07.2021 (Annexure P-2).

3. The FIR has been registered on the statement of complainants on the allegations that the accused-petitioners had done fraud with them and duped ₹45 lakhs on the pretext of sending their sons Canada. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and

differences.

4. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from JMIC, Moga stating that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine one.

5. Learned Assistant Advocate General, Punjab on instructions from the Investigating Officer and learned counsel for the complainant-respondent No.2 admit the factum of compromise. Learned counsel appearing for the respondent-State submits that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

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

7. In a decision, based on compromise, none of the parties is a loser. Rather, a compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. 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.

8. Consequently, keeping in view the fact that the dispute has been amicably settled 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.121 dated 09.07.2015 registered under Sections 420, 342, 506, 120-B IPC at Police Station City Moga, District Moga (Annexure P-1) and all subsequent proceedings arising out of the same are quashed qua petitioners.

**December 07, 2021**  
Pankaj\*

**(JAISHREE THAKUR)**  
**JUDGE**

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|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether reportable        | Yes/No |