

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

CRM-M-54674-2019 (O&M)

Date of decision: 18.2.2021

Sunpreet Singh @ Sunny and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Kuldeep Singh, Advocate, for the petitioners.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Jagdeep Singh Chahal, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Case has been heard through video conferencing on account of
COVID-19 Pandemic.

CRM-4013-2021

This is an application for preponing the date of hearing of the
main case.

Notice of the application.

Mr. Luvinder Sofat, AAG, Punjab and Mr. Jagdeep Singh
Chahal, Advocate accepts notice on behalf of respondents No.1 and 2
respectively. They have no objection if the present application is allowed
and the date of hearing is preponed. Accordingly, the present application is
allowed and the main case is preponed to today itself. The main case is
taken on board today.

Main case

Prayer in this petition is for quashing of FIR No.90 dated

of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Badali Ala Singh, District Fatehgarh Sahib on the basis of compromise dated 5.12.2019 (Annexure P-2).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Gurjit Singh.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity of the compromise vide order dated 20.12.2019.

Report has been received from Judicial Magistrate, 1st Class, Fatehgarh Sahib, as per which, complainant-Gurjit Singh and all the petitioners namely Sunpreet Singh, Gurpreet Singh, Baljinder Kaur and Manjit Singh had appeared and got recorded their statements in the said Court, in which, they have admitted about the factum of compromise. They also stated that the said compromise was effected voluntarily, without any pressure, coercion and undue influence. The complainant also stated that he has no objection if the FIR in question is quashed by this Court. Copies of the aforesaid statements of the parties were also received along with the report of the Court concerned.

I have heard learned counsel for the parties besides going through the record.

FIR was registered in this case against the petitioners on the basis of the complaint lodged by respondent No.2, as per which, the petitioners took huge amount from him on the pretext of sending him abroad but they failed to do so. They also refused to return the money.

As per report received from the Court concerned, the parties have effected the compromise out of their free consent and without any pressure. No other accused person is involved in the present case. Counsel for respondent No.2 during the arguments admitted the factum of the compromise which has been effected between the parties. He has no objection if the FIR in this case is quashed on the basis of the compromise.

The Court is of the view that the aforesaid compromise is in the welfare and interest of both the parties. To my mind, there is no legal impediment if the aforesaid compromise is honoured and the matter is set at rest to enable the parties to live in peace and dignified manner.

For the reasons aforesaid and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.90 dated 27.10.2019 registered under Sections 420, 406, 120-B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Badali Ala Singh, District Fatehgarh Sahib and all the subsequent proceedings are hereby quashed qua the petitioners.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

(KARAMJIT SINGH)
JUDGE

February 18, 2021

Paritosh Kumar

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