

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

THROUGH VIDEO CONFERENCING

CRM-M-1334-2020 (O&M)

Date of decision: 3.3.2022

Poonam Jain and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. S.S.Virk, Advocate, for
Mr. Gautam Pathania, Advocate, for the petitioners.

Mr. C.L.Pawar, Sr. DAG, Punjab.

Mr. Prabhdeep Singh, Advocate, for respondent No.2 & 3.

KARAMJIT SINGH, J.

Prayer in this petition is for quashing of FIR No.184 dated 22.8.2018 registered under Sections 420, 120-B IPC at Police Station Sarabha Nagar, District Ludhiana on the basis of compromise dated 4.10.2019 (Annexure P-4).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Dr. Dinesh Garg in which he alleged that petitioners No.1 to 3 entered into an agreement to sell one plot falling in the area of village Thrike with respondents No.2 and 3 who are husband and wife for valuable consideration on 15.2.2017. However, thereafter, petitioners No.1 to 3 in connivance with petitioner No.4 failed to perform their part of the contract and thereby defrauded respondents No.2 and 3.

On notice of motion, respondents No.2 and 3 appeared in the

this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

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 or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate, Ludhiana along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondents No.2 and 3 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

For the reasons aforestated 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.184 dated

Sarabha Nagar, District Ludhiana and all the subsequent proceedings are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

March 3, 2022

Paritosh Kumar

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