

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

THROUGH VIDEO CONFERENCING

CRM-M-12719-2021 (O&M)

Date of decision: 10.3.2022

Harvinder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Prabhjot Singh Bedi, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Johit Kumar, Advocate, for

Mr. Vishesh Dogra, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.7 dated 9.1.2021 registered under Sections 420, 506 IPC at Police Station Sadar, Gurdaspur, District Gurdaspur on the basis of compromise (Annexure P-2 to P-4).

The above stated FIR was registered on the basis of the complaint lodged by the complainant/respondents No.2 and 3 against the petitioner in which they alleged that the petitioner deceived them and took ₹ 1,40,000/- on the pretext of sending them abroad and thereafter, the petitioner failed to fulfill his promise and did not return the aforesaid amount to them.

On notice of motion, respondents No.2 and 3 appeared in the Court through their counsel and pleaded that they have no objection if the

has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaqa 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 Additional Chief Judicial Magistrate, Gurdaspur 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.7 dated 9.1.2021 registered under Sections 420, 506 IPC at Police Station Sadar, Gurdaspur,

qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

March 10, 2022

Paritosh Kumar

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