

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

THROUGH VIDEO CONFERENCING

CRM-M-15381-2021 (O&M)

Date of decision: 14.2.2022

Kulwinder Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. N.S.Dadwal, Advocate, for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

Mr. Jagjit Singh, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.0006 dated 6.2.2021 registered under Sections 420, 406, 120-B IPC at Police Station City Raikot, District Ludhiana Rural on the basis of compromise dated 12.2.2021 (Annexure P-2).

The above stated FIR was registered on the basis of a complaint lodged by complainant/respondent No.2-Jasbir Singh alias Jasbir Singh Garcha with the police in which it was alleged that the petitioners entered into agreement to sell their land with respondent No.2 and received lakhs of rupees from him and, thereafter, failed to fulfill the terms and conditions of agreement to sell and thereby committed cheating of ₹ 30 lakhs.

On notice of motion, respondents No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been

effected between the parties. Petitioners No.4 to 6 are represented by their attorneys i.e. petitioners No.1 to 3 respectively.

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 Judicial Magistrate 1st Class, Jagraon along with statements of petitioners No.1 to 3 and respondent No.2 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 respondent No.2 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)

6.2.2021 registered under Sections 420, 406, 120-B IPC at Police Station City Raikot, District Ludhiana Rural and all the subsequent proceedings thereof 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 14, 2022

Paritosh Kumar

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