

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

(I) CRM-M-14360-2022 (O&M)

Vikram Jain ... Petitioner

Versus

State of Punjab and others ... Respondents

(II) CRM-M-15109-2022 (O&M)

Rahul Kumar Jain and another ... Petitioners

Versus

State of Punjab and another ... Respondents

Date of Decision:-4.7.2022

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Preetinder S. Ahluwalia, Advocate,
for the petitioner in CRM-M-14360-2022.

Mr. Mandeep Kaushik, Advocate,
for the petitioners in CRM-M-15109-2022.

Mr. Tanvir Joshi, AAG, Punjab.

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

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the above mentioned two petitions filed on behalf of petitioners Vikram Jain, Rahul Kumar Jain and Kapil Kumar Jain seeking quashing of FIR No.262 dated 28.12.2020, Police Station City Fazilka,

District Fazilka, under Sections 420, 34 of Indian Penal Code, wherein offence under Sections 465, 467, 468, 471 and 120-B IPC was added lateron, on the ground that the matter has since been compromised amongst the parties.

2. The FIR in question was lodged at the instance of Sohan Lal Chawla, Proprietor of 'M/s Chawla Cotton Traders', wherein it is broadly alleged that his firm as well as another firm i.e. 'M/s Ansh Space Exports' had supplied cotton bales to the firm of the accused but the accused despite having taken delivery of the same had not made payment in respect of the same.
3. The matter was stated to be compromised amongst the parties and accordingly the aforesaid two petitions came to be filed. Vide order dated 5.4.2022 (passed in CRM-M-14360-2022) and order dated 8.4.2022 (passed in CRM-M-15109-2022), the parties were directed to get their statements recorded qua the factum of compromise. Pursuant to the aforesaid orders, a report dated 30.4.2022 was received by this Court in CRM-M-15109-2022, wherein it was reported that the parties have amicably resolved their issues. However, this Court upon noticing that some of the articles had also been supplied to the accused by 'M/s Ansh Exports', had directed that statement of the said respondent No.3-M/s Ansh Exports be also recorded. Consequently, the statement was recorded and a report to this effect has been received from learned Chief Judicial Magistrate, Fazilka, wherein after recording the statement of respondent No.3-Somaiya Bhaveshbhai Rameshchandra, Proprietor of M/s Ansh Exports in CRM-M-14360-2022, has reported that the parties have entered into a compromise out of their free will and that the said compromise is a valid and a genuine compromise.

4. In view of the aforestated position, wherein this Court finds that the matter is more or less in the nature of a civil dispute, which has since been compromised, and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, both the petitions are allowed and FIR No.262 dated 28.12.2020, Police Station City Fazilka, District Fazilka, under Sections 420, 34 of Indian Penal Code, wherein offence under Sections 465, 467, 468, 471 and 120-B IPC was added lateron and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.
5. A photocopy of this order be placed on the file of connected case.

4.7.2022

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**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking
Whether reportable

Yes / No
Yes / No