

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

CRM-M No.29230 of 2021

Date of Decision: 12th September, 2022

Bhagwant Singh & Another

...Petitioners

Versus

State of Punjab & Another

...Respondents

CORAM: HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA

Present :- Mr. Viranjeet Singh Mahal, Advocate,
for the petitioners.

Mr. Arun Gupta, AAG, Punjab,
for respondent No.1-State.

Mr. Satyam Tandon, Advocate,
for respondent No.2.

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MEENAKSHI I. MEHTA, J.(ORAL)

By way of the instant petition, the petitioners herein have invoked the jurisdiction of this Court under Section 482 Cr.P.C. for seeking the quashing of the FIR bearing No.0019 dated 15.02.2016 registered at Police Station Maur, Bathinda, under Section 420 read with Section 34 IPC as well as all the consequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute culminating in the registration of the said FIR.

2. Shorn and short of unnecessary details, the allegations, as levelled by informant-respondent No.2 Darshan Singh in the subject FIR are that the petitioners, in connivance with each other, duped him of Rs.04

lac on the pretext of sending his son Gurtej Singh and one Pardeep Sharma abroad.

3. Vide the order dated 19.01.2022 as passed by the Co-Ordinate Bench, the parties were directed to appear before Illaqa Magistrate/trial Court for recording their statements in respect of the compromise. In compliance of the afore-said order, learned Sub Divisional Judicial Magistrate, Talwandi Sabo, recorded their (parties') statements and has submitted the report (which is already available on the file) mentioning therein that the compromise effected between the petitioners and the private respondent is genuine, voluntary and without any pressure or coercion or undue influence and that as per the statement of the Investigating Officer named SI Joginder Singh, there are only two accused, i.e the petitioners and one victim-complainant in the present case and none of the petitioners-accused has been declared a proclaimed offender. Separate statements of both the petitioners, the complainant (respondent No.2) and the above-named Investigating Officer have also been annexed with the afore-said report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondent No.2 in the present petition and have also perused the file thoroughly.

5. The said compromise has been effected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioners and

in these circumstances, the continuation of the proceedings in the case arising out of the said FIR would be an exercise in futility.

6. Keeping in view the above-discussed facts and circumstances as well as the observations as made by the Apex Court in ***Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543***, the FIR bearing No.0019 dated 15.02.2016 registered at Police Station Maur, Bathinda, under Section 420 read with Section 34 IPC as well as all the consequent proceedings arising therefrom (if any) are hereby quashed.

7. The petition in hand stands allowed accordingly.

12.09.2022

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(MEENAKSHI I. MEHTA)
JUDGE

<i>Whether speaking/reasoned:</i>	<i>Yes</i>
<i>Whether Reportable:</i>	<i>No</i>