

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

CRM-M-25628-2020

Date of decision: 25.08.2022

Narinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present:- Mr. Jasdeep Singh, Advocate, for the petitioner.

Mr. J.S. Mehndiratta, Addl. AG, Punjab.

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AMAN CHAUDHARY, J. (ORAL)

Present petition has been filed for quashing of FIR No. 97 dated 24.05.2018 (Annexure P-1), under Sections 420, 406 IPC registered at Police Station City Phase-1, SAS Nagar, Mohali, Punjab, and all other consequential proceedings arising therefrom on the basis of order dated 14.12.2019 (Annexure P-5), passed by the Additional District Judge-cum-Presiding Officer, National Lok Adalat, SAS Nagar (Mohali).

Learned counsel for the petitioner submits that Annexure P-5 is the order wherein statements of the petitioner and respondent No. 2-complainant had been recorded before the Lok Adalat that the matter has been compromised, as per which, the petitioner paid a sum of Rs. 8.05 lakhs as full and final payment to respondent No. 2-complainant vide demand draft No. 158929 dated 02.12.2019 and no claim was left against the petitioner.

The compromise was placed on record as Ex.C-1 which bears signatures of both the parties.

In view of the statement suffered by the petitioner as well as respondent No. 2-complainant recorded separately, the appeal was withdrawn being compromised.

Notice in this case was issued on 02.09.2020, pursuant to which a short reply by way of affidavit of Shri Gursheer Singh, Deputy

Superintendent of Police, City-I, District SAS Nagar, (Mohali), has been filed confirming the factum of compromise between the parties. Relevant para (V) of the affidavit reads as under: -

"(V) That thereafter the complainant sent an e-mail on 22.07.2020 stating therein that he was presently not in India besides informing that he had initiated civil litigation against the petitioner Narinder Singh and the matter has been settled between them in Court and he has received Rs. 8,50,000/- in total as settlement amount from the petitioner Narinder Singh and the copy of the compromise was also annexed with the said e-mail."

In view of the statement made herein above and the documents referred to by the learned counsel for the petitioner and the reply filed by the State regarding the compromise (Ex. CI), this Court is of the view since the matter has been amicably settled between the parties, therefore, carrying out further prosecution would be an abuse of the process of the Court. Accordingly, present petition is allowed and the FIR No. 97 dated 24.05.2018 (Annexure P-1) registered at Police Station City Phase-1, SAS Nagar, Mohali, Punjab, and all other consequential proceedings arising therefrom, is quashed qua the petitioner.

25.08.2022
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(AMAN CHAUDHARY)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No