

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

CRM-M-32155-2021
Date of Decision:-19.04.2022

NISHA SAHNI ALIAS NISHA KAMRA

... Petitioner

Versus

STATE OF UT CHANDIGARH AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Ms. Kajal Sandher, Advocate for
Mr. Vivek Gupta, Advocate
for the petitioner.

Mr. Anil Kumar Lamdharia, APP, UT, Chandigarh.

Mr. Udai Singh Chouhan, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.2 dated 2.1.2007 registered under Sections 419, 420, 467, 468, 471, 120-B IPC at Police Station 17 Chandigarh (now Police Station Chandigarh Central), Chandigarh on the basis of compromise dated 7.6.2021 (Annexure P-3) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the basis of the complaint lodged on behalf of respondent No.2 (earlier known as ABN

Amro Bank) against the petitioner and one Sunny Sahni, in which it was alleged that both the said accused cheated the said bank by forging certain documents.

On notice of motion, respondent No.2 appeared in the Court through his authorized representative-Mohit Malik, who 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.

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 Chief Judicial Magistrate, Chandigarh 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 parties 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.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties. As the parties have settled their differences, no purpose would be served by keeping the present litigation pending. Also

there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforesaid 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.2 dated 2.1.2007 registered under Sections 419, 420, 467, 468, 471, 120-B IPC at Police Station 17 Chandigarh (now Police Station Chandigarh Central), Chandigarh on the basis of compromise dated 7.6.2021 (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

19.04.2022
Gaurav Sorot

Whether reasoned / speaking?	Yes / No
Whether reportable?	Yes / No