

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

214

CRM-M-31889-2019

Date of decision : 10.02.2022

VIKASH CHANDER @ VIKAS CHANDER

.....Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. S.K.Choudhary, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab
for the respondent No. 1/State.

Mr. S.K.Arya, Advocate
for respondent No. 2.

SANT PARKASH, J. (ORAL)

(The case has been taken up for hearing through video conferencing.)

Petitioner has approached this Court by way of instant petition under Section 482 of the Code of Criminal Procedure invoking its inherent jurisdiction for quashing of FIR No. 66 dated 04.07.2017 registered under Sections 419, 420, 465, 467, 471 and 120-B of the Indian Penal Code, 1860 (for short 'the IPC') registered at Police Station Division No. 1, District Pathankot as well as the consequential proceedings arising therefrom, on the basis of compromise dated 25.07.2017 (Annexure P-2).

Vide order dated 17.02.2020, the parties were directed to appear before the trial Court to record their statements with regard to the compromise and send a report to this Court. The report dated 04.03.2020 of learned Additional Chief Judicial Magistrate, Pathankot has been received, wherein it is stated that in pursuance of the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine, without any coercion or undue influence.

Learned counsels appearing on behalf of both the parties admit that parties have settled their disputes.

After hearing the learned counsel for the parties and going through record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at an out of the Court settlement by way of compromise (Annexure P-2). The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466**, the present petition is allowed. Resultantly, FIR No. 66 dated 04.07.2017 registered under Sections 419, 420, 465, 467, 471 and 120-B of the IPC registered at Police Station Division No. 1, District Pathankot, as well as the

consequential proceedings arising therefrom are quashed qua the petitioner.

10.02.2022
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No