

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

CRM-M-36547-2019
Date of Decision:-08.04.2022

KARNAIL SINGH

... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Manipal Singh Atwal, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

Mr. Amarbir singh Pahwa, Advocate
for private respondent. .

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.87 dated 17.7.2018 registered under Sections 406, 420, 120-B IPC at Police Station Doraha, Police Commissionerate Ludhiana on the basis of compromise (Annexure P-2) along with other consequential proceedings arising thereto.

The above stated FIR was registered on the basis of complaint lodged by respondent No.2/complainant-Jeevan Singh in which he alleged that one Rajwinder Singh took huge money from him on the pretext of

sending him abroad but thereafter he failed to do so and also refused to return the money. During investigation petitioner was also nominated as accused.

On notice of motion, respondents No.2 appeared in the Court through his counsel and 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 Sub-Divisional Judicial Magistrate, Payal 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 and will enable the parties to live in peace and enjoy their life in a dignified manner. 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.87 dated 17.7.2018 registered under Sections 406, 420, 120-B IPC at Police Station Doraha, Police Commissionerate Ludhiana on the basis of compromise (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

08.04.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No