

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

CRM-M-42870-2020 (O&M)
Date of Decision:-30.3.2022

ASHISH CHORDIA AND ANR

... Petitioners

Versus

UNION TERRITORY, CHD AND ANR

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Sunil Chadha, Senior Advocate with
Mr. Lakshay Bector, Advocate
for the petitioners.

Mr. Arjun, Advocate for
Mr. C.S. Bakshi, AAP, U.T. Chandigarh.

Mr. Anish Gautam, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

CRM-6407-2021

Allowed as prayed for subject to all just exceptions.

Main Case

Present petition is for quashing of FIR No.139 dated 26.3.2014
registered under Sections 420, 120-B IPC at Police Station Manimajra,

District Chandigarh on the basis of compromise dated 7.12.2020 (Annexure P-3) along with other consequential proceedings arising thereto.

The abovesaid FIR was registered on the basis of the complaint lodged by respondent No.2-Pankaj Khandelia, Managing Director of M/s Northward Motors Pvt. Ltd. Industrial Area, Phase-II, Chandigarh in which it was alleged that the petitioners cheated him.

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.

The present petition has been filed by the petitioners through their power of attorney holder Imran Khan.

During the course of preliminary hearing, the trial Court/Illaqha 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 Judicial Magistrate Ist Class, 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.

The counsel for the respondent No.2 apprised the Court that the settled amount has already been paid by the petitioners to the respondent No.2. 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 aforestated 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.139 dated 26.3.2014 registered under Sections 420, 120-B IPC at Police Station Manimajra, District Chandigarh on the basis of compromise dated 7.12.2020 (Annexure P-3) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(**KARAMJIT SINGH**)
JUDGE

30.3.2022
Gaurav Sorot

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