

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

CRM-M-51126-2021(O&M)

Date of decision: 15.02.2022

Gurdial Singh Dhaliwal and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. M.S. Kohli, Advocate for the petitioners.

Mr. Davinder Bir Singh, DAG Punjab.

Mr. Gayanpavit Singh, Advocate for respondent No. 2.

HARNARESH SINGH GILL, J. (ORAL)

Through this petition, the petitioner seeks for quashing of FIR No.32 dated 15.02.2019 registered under Sections 420, 465, 467, 468, 471 IPC at Police Station City Phase XI, Mohali District SAS Nagar along with all consequential proceedings arising therefrom, on the basis of compromise dated 05.10.2021 (Annexure P-2).

Learned counsel for the petitioners submits that petitioner No. 1 is paternal uncle of respondent No. 2 and petitioner No. 2 is only the attesting witness of the will executed by late Jagjit Singh Dhariwal-real brother of petitioner No. 1; that both the petitioners were granted anticipatory bail by the Court of Session but respondent No.2-complainant filed a petition for cancellation of the said bail; that during the pendency of same, a compromise dated 05.10.2021 has been effected between the parties with the intervention of respectable members.

Learned counsel for the petitioners as well as learned counsel for respondent No. 2-complainant submits that the aforesaid compromise was

executed on the statement of Dhiraj Rawal, attorney of respondent No. 2-complainant and on the basis of said compromise dated 05.10.2021, the petition for cancellation of bail was also dismissed as withdrawn vide order dated 05.10.2021 passed by Additional Sessions Judge, Mohali, with a direction to the parties, to remain bound by the terms and conditions of the compromise.

I have heard the learned counsel for the parties and also gone through the paper-book.

In the present case, complainant-respondent No. 2 is residing in United Kingdom, and has appeared through his attorney-Dhiraj Rawal, who is representing the case through Counsel.

Since the parties have arrived at a compromise and have decided to live in peace, no useful purpose would be served in allowing the criminal proceedings to continue.

Accordingly, the petition is allowed. FIR No.32 dated 15.02.2019 registered under Sections 420, 465, 467, 468, 471 IPC at Police Station City Phase XI, Mohali District SAS Nagar along with all consequential proceedings arising therefrom, are hereby quashed qua the petitioners, on the basis of compromise dated 05.10.2021 (Annexure P-2), subject to depositing the costs of Rs.10,000/- by the petitioners with the Lawyers' Welfare Fund, Punjab and Haryana High Court, Chandigarh.

Needless to say that the parties shall remain bound by the terms of compromise and their statements made in the Court below.

(HARNARESH SINGH GILL)
JUDGE

15.02.2022
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No