

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

THROUGH VIDEO CONFERENCING

CRM-M-53494-2021 (O&M)

Date of decision: 22.2.2022

Navdeep Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Inderjit Singh Luthra, Advocate, for the petitioners.

Mr. Karanbir Singh, AAG, Punjab.

Mr. J.S.Nanda, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.86 dated 9.6.2020 registered under Sections 420, 406, 506, 120-B IPC at Police Station Dakha, Ludhiana Rural, District Ludhiana on the basis of compromise (Annexure P-5).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Ajit Pal Singh in which he alleged that he intended to go to Australia and as such, he got married with petitioner No.1 who was permanently settled in Australia. He performed the said marriage only on the assurance given by the remaining petitioners that after marriage, his wife will call him to Australia. However, later on, the petitioners failed to fulfill their promise and then the complainant reported to the police that the petitioners committed cheating worth ₹ 25 lakhs and consequently, FIR in question was lodged.

On notice of motion, respondent 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 Judicial Magistrate, 1st Class, Ludhiana 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.

It is pertinent to mention that petitioner No.1-Navdeep Kaur, petitioner No.4-Jagjit Singh and petitioner No.6- Mandeep Kaur got recorded their statements through their special power of attorney Jasdeep Singh who is brother of petitioners No.1 and 6 and nephew of petitioner No.4.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondent No.2 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.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and

thus, amount to abuse of process of law.

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.86 dated 9.6.2020 registered under Sections 420, 406, 506, 120-B IPC at Police Station Dakha, Ludhiana Rural, District Ludhiana and all the subsequent proceedings are hereby quashed qua the petitioners.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-5 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

February 22, 2022

Paritosh Kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No