

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision : 17.02.2023

CRM-M-7877-2022 (O/M)

Vinod Kumar Petitioner
Versus
State of Punjab and another Respondents

AND

CRM-M-8811-2022 (O/M)

Manoj Joshi Petitioner
Versus
State of Punjab and another Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. Vishal Satija, Advocate
for petitioner in CRM-M-7877-2022.

Mr. Vishal Satija, Advocate for
Mr. Puneet Sharma, Advocate
for petitioner in CRM-M-8811-2022.

Mr. Dhruv Dayal, Additional A.G. Punjab.

Mr. Anupinder Singh Brar, Advocate
for respondent No. 2.

-. - .-

HARINDER SINGH SIDHU, J.

This order shall dispose of above-mentioned two petitions
arising out of the same FIR.

CRM-M-7877-2022 has been filed by Vinod Kumar, while
CRM-M-8811-2022 has been filed by Manoj Joshi.

Prayer in both the petitions is for quashing of FIR No.205
dated 15.11.2019 registered under Sections 420, 465, 467, 468, 471, 120 B IPC at
Police Station City Dhuri, District Sangrur and all other consequential proceedings
arising therefrom qua petitioners on the basis of compromise.

After registration of FIR, petitioner-Vinod Kumar filed CRM-M-20608-2021 for grant of anticipatory bail. Vide order dated 24.5.2021, the arrest of petitioner was stayed subject to deposit of Rs.2,00,000/- with the trial Court. The complainant had also appeared before the Court in those proceedings. It was agreed between the parties that the matter may be referred to Mediation and Conciliation Centre of this Court in order to effect compromise between them.

Petitioner Manoj Joshi filed CRM-M-21756-2021 for grant of anticipatory bail. Vide order dated 1.6.2021, his arrest was stayed subject to deposit of Rs.1,50,000/- with the trial Court.

At the Mediation and Conciliation Centre of this Court, the parties arrived at a settlement. It was agreed that Rs.2,00,000/- deposited by petitioner Vinod Kumar before the trial Court in terms of order dated 24.5.2021 passed by this Court in CRM-M-20608-2021 and another sum of Rs.1,50,000/- deposited by Manoj Joshi in terms of order dated 1.6.2021 passed by this Court in CRM-M-21756-2021, would be released to the complainant as full and final settlement of their dispute subject to quashing of FIR by the Court. Thereafter, these petitions petition for quashing of FIR have been filed.

Vide orders dated 3.3.2022, parties were directed to appear before learned Illaqa Magistrate/trial Court concerned for recording their statements and trial Court was to send its report regarding the genuineness of compromise.

Report dated 24.5.2022 of learned Sub Divisional Judicial Magistrate, Dhuri has been received, wherein it is stated that compromise between the parties is genuine and has been effected voluntarily without any force, coercion or undue influence and out of free will.

In view thereof, these petitions are allowed. FIR No.205 dated 15.11.2019 registered under Sections 420, 465, 467, 468, 471, 120 B IPC at

Police Station City Dhuri, District Sangrur and all other consequential proceedings arising therefrom qua petitioners Vinod Kumar and Manoj Joshi are hereby quashed.

The amount of Rs.3,50,000/- deposited with the trial Court be released to the complainant-respondent No.2.

(HARINDER SINGH SIDHU)
JUDGE

17.2.2023
sjks

Whether reasoned order : Yes / No

Whether reportable : Yes / No