

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

**CRM-M-10127-2023  
Date of decision: 26.04.2023**

**IQBAL SINGH AND ORS.**

**...PETITIONERS**

**VERSUS**

**STATE OF PUNJAB AND ANR.**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE VIVEK PURI**

Present: Mr. Yogesh Jangra, Advocate for  
Mr. Sherry K. Singla, Advocate for the petitioners.

Mr. Hittan Nehra, Addl. AG, Punjab.

Mr. Ishmeet Singh, Advocate for  
Mr. Akshay Kumar, Advocate for respondent No.2.

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**VIVEK PURI, J. (ORAL)**

1. Petitioners have approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.03 dated 09.01.2017 under Section 420 IPC, 1860 registered at Police Station Kotfatta, District Bathinda and all the consequential proceedings arising therefrom, on the basis of compromise.

2. On 27.02.2023, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.

3. The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.

4. In compliance of the order dated 27.02.2023, learned Judicial Magistrate 1<sup>st</sup> Class, Talwandi Sabo has recorded the statements of the parties and submitted the report, the relevant para whereof reads as under:-

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*accused persons are arrayed in the present FIR and none of the accused were ever declared proclaimed offender. It is further submitted that accused persons were not involved in any other case and there is only one victim/complainant in the present case. The compromise between accused/petitioners and complainant/victim is genuine, voluntary and without any pressure, coercion or undue influence.”*

5. Learned counsel for the petitioners contend that petitioner Nos. 1 and 2 are the grandsons and petitioner No.3 is the daughter-in-law of respondent No.2. The allegations are to the effect that the petitioners had committed fraud upon respondent No.2. They have taken the respondent No.2 to bank on false pretext, procured her thumb impressions and withdrew an amount to the tune of Rs. 10,50,000/- from her bank account. It has been submitted that the dispute has been amicably settled between the parties in terms of compromise, Annexure P-2. It has been submitted that the son of respondent No.2, who was the father of petitioner Nos. 1 and 2 and husband of petitioner No.3 has since died. The parties are close relatives. It has been stated that the petitioners and respondent No.2 shall peacefully stay together and the petitioners will take care of respondent No.2. The amicable settlement will help in maintaining cordial relations between the close relatives in future.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure

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result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute of the close relatives has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.03 dated 09.01.2017 under Section 420 IPC, 1860 registered at Police Station Kotfatta, District Bathinda and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioners only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

26.04.2023

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(VIVEK PURI)  
JUDGE

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|----------------------------|--------|
| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | Yes/No |