

251 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-18722-2022
Date of decision: 17.04.2023

SAURAV ARORA

...Petitioner

V/s

STATE OF PUNJAB AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. G.B.S. Gill, Advocate for
Mr. Shilesh Gupta, Advocate
for the petitioner.

Mr. V.K. Gupta, AAG, Punjab.

Ms. Swati Verma, Advocate
for respondent No.2-complainant.

HARKESH MANUJA J. (ORAL)

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.0013 dated 16.01.2019, under Sections 420, 120-B IPC and Section 24 Immigration Act registered at Police Station Division No.6, Police Commissionerate Ludhiana (Annexure P-2) along with all subsequent proceedings arising therefrom on the basis of compromise.

2. As per the allegations levelled in the FIR, the complainant had approached the petitioner for applying Visa and petitioner, on several occasions, duped the complainant by taking money of Rs.86,000/-.

3. In pursuance to order dated 21.12.2022 passed by this Court, whereby, the parties were directed to appear before the trial Court for getting their statements recorded as regards the veracity of the compromise arrived

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at between them, a report dated 20.03.2023 has been received from the concerned Court, stating that the compromise between the authorized representative on behalf of complainant and the accused-Saurav Arora is genuine, voluntary and valid, as it is not the result of any undue influence or coercion. Accused-Saurav Arora has not been declared as PO.

4. Thus, once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

Further, learned counsel for the petitioner, while placing reliance upon

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the judgments passed by the Hon'ble Supreme Court in *Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589* and this Court in *Joginder Singh & another Vs. State of Punjab and another*, passed in CRM-M-23739- 2010 decided on 27.04.2011, *Rajinder Singh Vs. State of Punjab & another*, passed in CRM-M- 37395-2016 decided on 16.05.2017 and *Vimal Kalra & others Vs. State of Punjab & another*, passed in CRMM-20355-2022, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0013 dated 16.01.2019, under Sections 420, 120-B IPC and Section 24 Immigration Act registered at Police Station Division No.6, Police Commissionerate Ludhiana (Annexure P-2) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner only.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.5000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

(HARKESH MANUJA)
JUDGE

17.04.2023
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No