

250

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

CRM-M-17526-2021

Date of Decision: 22.05.2023

SAHIL ANAND

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Amritpal Singh Sohal, Advocate for
Mr. G.S.Bawa, Advocate for the petitioner.
Ms. Ruchika Sabherwal, DAG Punjab.
Mr. Ajay Rana, Advocate for
Mr. Prince Pasrischa, Advocate for respondent No.2.
* * *

VIVEK PURI, J. (ORAL)

1. Present petition under Section 482 Cr.P.C. is for quashing of FIR No. 335 dated 12.12.2020 under Section 420 IPC, registered at Police Station Division B, Amritsar, District Police Commissionerate, Amritsar and all the consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).
2. On 27.04.2021 the parties were directed to appear before the Trial Court and get their statements recorded with regard to the compromise arrived at between them. The Trial Court was directed to record the statements of all the concerned and send its report regarding genuineness of the compromise.
3. In compliance of the order dated 27.04.2021, learned Judicial Magistrate First Class, Amritsar has recorded the statements of the parties and submitted his report, the relevant portion whereof reads as under:-

“Accordingly, in view of the statements of complainant, Harjit Kaur and accused, Sahil Anand, the compromise has been arrived between the

complainant, Harjit Kaur, and accused Sahil Anand, is voluntarily, with her own free will and without any pressure or coercion.”

4. Learned counsel for the petitioner contends that the FIR has been registered on the allegations that the complainant had deceitfully received a sum of Rs. 1,50,000/- for the purpose of sending the son of respondent No.2 abroad. The monetary dispute between the parties has been amicably settled in terms of compromise, Annexure P-2. The outstanding amount has been returned by the petitioner to respondent No.2 and amicable settlement will help in maintaining cordial relations between them in future.

5. Learned counsel for respondent No.2 has acknowledged this fact and has stated that he has no objection if the aforementioned FIR is quashed.

6. After hearing 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 (Annexure P-2). The compromise is without any pressure and is a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

7. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute 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.

8. 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***.

9. Accordingly, the present petition is allowed and FIR No. 335 dated 12.12.2020 under Section 420 IPC, registered at Police Station Division B, Amritsar, District Police Commissionerate, Amritsar and all the consequential proceedings arising therefrom are quashed qua the petitioner only.

22.05.2023

Janki

(VIVEK PURI)
JUDGE

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