

CRM-M-16666-2023

2023:PHHC:077444
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273 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16666-2023
DATE OF DECISION:-24.05.2023

Baljeet Singh @ Major

...Petitioner.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Gurpreet Singh, Advocate for
Mr. Ramnish Puri, Advocate,
for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab..

Mr. Ajay Kumar, Advocate for
Mr. Rishu Mahajan, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner pray for quashing of FIR No.19 dated 28.01.2021, under Section 420 IPC, registered at Police Station Kathu Nangal, District Amritsar along with all consequential proceedings arising therefrom on the basis of compromise dated 27.11.2021 and 18.02.2023 (Annexure P-2 and P-3).

2. As per the allegations levelled in the FIR, the petitioner cheated the complainant on the pretext of providing job in Army.

3. In pursuance to an order dated 11.04.2023 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 compromise arrived at

between them, a report dated 20.05.2023 has been received from the concerned court, stating that the compromise is genuine, out of free will of the parties and without any inducement or pressure from the petitioner/accused. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having 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.***

6. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.19 dated 28.01.2021, under Section 420 IPC, registered at Police Station Kathu Nangal, District Amritsar as

well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited with the Punjab and Haryana High Court Bar Association, within a period of two weeks from today.

24.05.2023
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No