

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

CRM-M-19348-2023

Date of decision: 25.05.2023

Raj Kumar and another

....Petitioners.

Versus

State of Punjab and another

....Respondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Veneet Sharma, Advocate, for the petitioners.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Sandeep Sharma, Advocate, for respondent No.2.

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SANJIV BERRY, J.

This is a petition filed under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No. 0005 dated 09.01.2021 under Section 420 IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Sadar, Amritsar, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 28.03.2023 (Annexure P-2) executed between the parties.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 28.03.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Additional Chief Judicial Magistrate, Amritsar, vide report dated 18.05.2023, has apprised this Court that the

compromise arrived at between the parties is genuine and without any pressure.

3. In view of the aforesaid report of the Additional Chief Judicial Magistrate, Amritsar, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

4. In the circumstances, the present petition is allowed and the FIR No. 0005 dated 09.01.2021 under Section 420 IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Sadar, Amritsar, District Amritsar (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioners, however, subject to payment of costs of Rs.20,000/- to be deposited by the petitioners within a period of fifteen days with the Poor Patients Welfare Fund, PGIMER, Chandigarh.

5. It is made clear that the aforesaid quashing shall be subject to deposit of the cost stated above.

(SANJIV BERRY)
JUDGE

25.05.2023
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i) Whether speaking/reasoned? Yes/No

ii) Whether reportable? Yes/No