

CRM-M-23526-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(269)

CRM-M-23526-2022

Date of Decision:- 02.08.2023

Rajesh Kumar Bhalla

...Petitioner

VERSUS

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. V.K.Sandhir, Advocate
for the petitioner.

Mr. Kunwarbir Singh, AAG, Punjab
for State-respondent No.1.

Mr. S.S.Bajaj, Advocate for
Mr. Sachin Kalia, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.95 dated 11.05.2019, registered for offence under Section 420 of the Indian Penal Code, 1860 (for short "IPC"), however later on Sections 465, 467, 468 and 471, IPC were added, at Police Station Civil Lines, Amritsar, Annexure P-1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 03.01.2020, Annexure P-2, arrived at between the parties.

2. Pursuant to order dated 12.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“(i) *There is one person arraigned as accused in the FIR namely Rajesh Kumar Bhalla;*

(ii) The accused person has not been declared proclaimed offender in this case;

(iii) This Court is satisfied that the compromise is genuine, voluntary and without any coercion or undue influence;

(iv) The accused Rajesh Kumar Bhalla is also involved in another FIR bearing number 398 dated 10.11.2015 under Sections 420/467/468/471/120-B IPC registered at Police Station Civil Lines, Amritsar; and

(v) There is one victim/complainant in the FIR namely Sumeet Taneja R/o 751-752, RB Estate Loharka Road, Amritsar.”

3. Counsel representing respondent No.2 does not have any objection in case the compromise is given effect to.

4. Heard counsel for the parties.

5. Dispute has been amicably resolved amongst the parties with the intervention of the respectables by virtue of compromise, Annexure P-2.

6. In view of the report given by the Trial Court and the judgments of the Supreme Court in *Narinder Singh Versus State of Punjab (2014) 6 SCC 466* and *Parbatbhai Aahir alias Parbatbhai Bhimsinhbhai Karmur and others Versus State of Gujarat and another (2017) 9 SCC 641*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

7. Accordingly, the petition is allowed. FIR No.95 dated 11.05.2019, registered for offence under Section 420 of the Indian Penal Code, 1860, however later on Sections 465, 467, 468 and 471, IPC were added, at Police Station Civil Lines, Amritsar, Annexure P-1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioner.

(SUVIR SEHGAL)
JUDGE

02.08.2023
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No