

CRM-M-21650-2023

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

CRM-M-21650-2023

Date of decision:-24.08.2023

Shekharkumar A Sharma @ Shekhar Sharma

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Ms.Gargi, Advocate for
Ms.Sukhwinder Kaur, Advocate
for the petitioner.

Mr.Anup Singh, AAG, Punjab.

Mr.Krishan Kanha, 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.175 dated 25.07.2019, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Beas, District Amritsar Rural, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise/affidavit dated 26.04.2022, Annexure P2, arrived at between the parties.

2. Counsel for the petitioner submits that the FIR is an outcome of financial dispute, which has been amicably settled between the parties by compromise Annexure P2. By making reference to

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judgment dated 07.12.2022, Annexure P3, counsel submits that FIR against co-accused Mohmad Mohsin @ MD Mohsin has been quashed by this Court on the basis of compromise.

3. Counsel for the respondent No.2/complainant has admitted the factum of compromise.

4. Heard counsel for the parties.

5. Pursuant to order dated 05.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

*“I have the honour to submit that I have gone through the statements given by the parties and asked various questions to know whether any compromise has been effected between the parties. I am satisfied that compromise has been effected between the parties and is without any pressure, coercion, threat or undue influence. Besides this, as per statement of IO-ASI Tajinder Singh, there are five accused nominated in this case namely Shekharkumar A Sharma @ Shekhar Sharma, Mohd. Mohsin (**FIR qua the said accused already quashed**), Kulbir Singh, Amreen Khan @ Amir Khan and Baldev Singh and neither any criminal case is pending against the parties nor they have been declared as proclaimed offender in any case.”*

6. In view of this development, report of the Trial Court and judgment of the Supreme Court in ***Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543*** and a Full Bench of this Court in ***Kulwinder Singh vs. State of Punjab and another, 2007(3)***

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RCR (Criminal) 1052, 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.175 dated 25.07.2019, under Sections 420, 467, 468, 471 and 120-B IPC, registered at Police Station Beas, District Amritsar, Annexure P1, along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

24.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No