

CRM-M-32272-2021

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238 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32272-2021
DATE OF DECISION:-22.05.2023

Santokh Singh and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vishal Munjal, Advocate,
for the petitioners.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Sunil Agnihotry, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioners pray for quashing of FIR No.0057 dated 20.04.2021, under Sections 406, 420, 120-B IPC, registered at Police Station Sujampur, District Pathankot (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise.

2. As per the allegations levelled in the FIR, petitioners cheated the complainant to the tune of Rs.2,50,000/- on the pretext of providing job to his son.

3. In pursuance to an order dated 11.08.2021 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 03.09.2021 has been received from the

concerned court, stating that statements of appearing parties are not the result of any pressure or coercion or undue influence and their compromise is voluntary and without any threat or force. There are total four accused i.e. the present petitioners and one complainant i.e. Kishan Chand. 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 petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. 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 FIR, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0057 dated 20.04.2021, under

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Sections 406, 420, 120-B IPC, registered at Police Station Sujanpur, District Pathankot (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

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 Clerk's Association, within a period of two weeks from today.

22.05.2023
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(HARKESH MANUJA)
JUDGE

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