

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

Sr. No.243

CRM-M-28982-2022

Date of Decision : February 28, 2023

Pawan Kumar and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vinod K. Kataria, Advocate, for the petitioners.

Mr. Gurlal Singh Dhillon, AAG, Punjab.

Mr. Vinod Kumar Sharma, Advocate, for respondent No.2.

Mr. Shekhar Choudhary, Advocate, for respondents No.3 & 4.

SUDHIR MITTAL, J. (ORAL)

The present petition has been filed for quashing of FIR No.0056, dated 26.02.2022, registered at Police Station City Kharar, District Mohali, under Sections 420, 406 & 120-B IPC (Annexure P-1) on the basis of compromise dated 05.07.2022 (Annexure P-3).

2. The matter was referred to Mediation and Conciliation Centre of this Court in an anticipatory bail viz. CRM-M-21582-2022 for exploring possibility of compromise. As per report dated 05.07.2022 (Annexure P-3), mediation has been successful and the settled terms are reproduced as under:

“a) It is agreed between the parties that the first party/petitioners would pay a total sum of Rs.20,00,000/- (Rupees Twenty Lacs only) to the second party/complainant, out of which, the second party/complainant has already received a sum of Rs.

10,50,000/- (Rupees Ten Lacs and Fifty Thousand only) and today the first party/petitioners have handed over a Cheque bearing No.657708 dated 05.07.2022 of Rs.9,50,000/- (Rupees Nine Lacs and Fifty Thousand only) of Canara Bank, Sector 35-B, Chandigarh to the second party/complainant as full and final amount pertaining to the property in dispute. Photo copy of the cheque is attached herewith for the ready reference of this Hon'ble Court.

b) That both the parties would not file any Criminal/Civil cases against each others regarding the said property in dispute.

c) That the second party/complainant undertakes that she will herself get the said property in dispute in her name and the first party/petitioners will have no role/objection in getting the property transferred in the name of the complainant/second party-Rani.

d) It has been mutually agreed between the parties that a petition for quashing the above said FIR shall be filed by the first party/petitioners before the Hon'ble High Court on the basis the present settlement/agreement. The second party/complainant- Rani undertakes that she shall have no objection for the quashing of the above said FIR on the basis of the present settlement/agreement. She further undertakes that she shall execute an affidavit/make a statement in the Hon'ble Court for quashing the above-mentioned FIR as and when directed by the Hon'ble Court.

It has been further agreed by the second party/complainant-Rani that she shall not pursue the said FIR in any Court of Law.

e) Both the parties further undertake that they will not file any Civil or Criminal litigation against each other in future with regard to the present dispute.”

3. In view of the above report, the petition is allowed and FIR No.0056, dated 26.02.2022, registered at Police Station City Kharar, District Mohali, under Sections 420, 406 & 120-B IPC (Annexure P-1) along with all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

February 28, 2023

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned Yes

Whether Reportable No