

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

CRM-M-34748-2021

Date of Decision: May 16, 2023

PARAMJIT SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Gurpreet Kaur, Advocate for
Mr. R.S. Sidhu, Advocate for the petitioner.
Mr. Kunal Vinayak, AAG, Punjab.

Mr. Mukesh Mehra, Advocate for respondent No.2.

HARKESH MANUJA, J. (ORAL)

1. By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.47 dated 18.04.2021 registered under Sections 406, 420 and 120-B IPC registered at Police Station Phase-11, SAS Nagar (Mohali) (Annexure P1) along with all consequential proceedings arising therefrom qua the petitioner on the basis of compromise dated 18.08.2021 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner along with four other accused defrauded the complainants of Rs.7,00,000/- on the pretext of sending him abroad viz. Canada.

3. In pursuance to an order dated 22.02.2023 passed by this Court, whereby the matter was referred to Mediation and Conciliation Centre, the parties settled their differences. A settlement agreement dated 10.03.2023 was executed by the parties before Mediation and Conciliation Centre of this Court. A report dated 10.03.2023 has been received from the Mediation and Conciliation Centre of this court, stating that the compromise between the complainant-Narender Singh

CRM-M-34748-2021

-2-

and petitioner-Paramjit Singh is valid, voluntary and out of their own free will. There are four other accused persons.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. 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**. Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in **Jayrajsinh Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589** and this Court

in **Joginder Singh & another Vs. State of Punjab and another,** passed in **CRM-M-23739- 2010** decided on 27.04.2011, **Rajinder Singh Vs. State of Punjab & another,** passed in **CRM-M- 37395-2016** decided on 16.05.2017 and **Vimal Kalra & others Vs. State of Punjab & another,** passed in **CRMM-20355-2022,** decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR 47 dated 18.04.2021 registered under Sections 406, 420 and 120-B IPC as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner only.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.2,000/- to be deposited with the Clerk Bar Association, Punjab and Haryana High Court, Chandigarh within a period of two weeks from today

16.05.2023
tejwinder

(**HARKESH MANUJA**)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>

