

241 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-38868-2022

DATE OF DECISION:-20.01.2023

Sukhwinder Singh

...Petitioner.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Ravinder Singh, AAG, Punjab

Mr. Vikasdeep Singh, Advocate
for respondent No.2.

HARKESH MANUJA, J.

By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.17 dated 27.02.2016, under Section 420 IPC, registered at Police Station Khalra, District Tarn Taran (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 30.07.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner cheated the complainant for a sum of Rs.3 lakhs on the pretext of sending his brother abroad.

3. In pursuance to an order dated 30.08.2022 passed by this Court, whereby the parties were directed to appear before the trial Court for getting

their statements recorded as regard the veracity of the compromise arrived at between them, report dated 06.01.2023 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. There is no other accused except the present petitioner. All the accused and complainant are party to the compromise. No accused has been declared as proclaimed offender. Now, trial is fixed for prosecution evidence.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 has no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute being purely personal in nature, there does not appear any impediment as regards quashing of present FIR. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences has 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 report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.17 dated 27.02.2016, under Section 420 IPC, registered at Police Station Khalra, District Tarn Taran (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner only.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.10,000/- by the petitioner within a period of two weeks from today in the following account:-

Account Name – Punjab and Haryana High Court Bar
Association Lawyer's Family Welfare Fund
Account No.-41564846387
Bank Name- SBI High Court Branch.

20.01.2023
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(HARKESH MANUJA)
JUDGE

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