

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

(225)

CRM-M-48605-2021

Date of Decision: 30.05.2023

Ramesh Kumar

...Petitioner

Versus

State of UT Chandigarh and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Karan Vir Nanda, Advocate, for the petitioner.

Mr. Rajiv Vij, Addl. PP, U. T. Chandigarh.

Mr. Varun Gupta, Advocate, for
Mr. Ashish Gupta, Advocate, for the respondent No.2.

HARKESH MANUJA, J.(ORAL)

By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.0022 dated 13.02.2019, registered under Sections 406, 420 IPC at Police Station Sarangpur (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise dated 20.04.2021 (Annexure P-2).

2. In the present case, petitioner refused to execute and register the sale deed in favour of the complainant after getting earnest money from her resulting into registration of the present FIR.

3. In pursuance to an order dated 22.11.2022 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, report dated 22.12.2021 has been received from the concerned court, stating that the compromise in the present case is valid, genuine,

accused except the present petitioner and the sole complainant namely, Monika Thakur.

4. Learned counsel for the petitioner submits that 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 other subsequent proceedings arising out of the same against the petitioner, the dispute being purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He further submits that 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. On the other hand learned State counsel submits that petitioner refused to execute and register the sale deed in favour of the complainant after getting earnest money from her.

6. Having heard learned counsel for the parties, they having settled their dispute so as to live peacefully 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 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.***

7. 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 judgment, the instant petition is allowed and FIR No.0022

dated 13.02.2019, registered under Sections 406, 420 IPC at Police Station Sarangpur (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed.

8. The aforesaid order shall however, be subject to payment of costs of Rs.5,000/- to be deposited by the petitioner with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

(HARKESH MANUJA)
JUDGE

30.05.2023
anil

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No