

254 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41291-2019

DATE OF DECISION:-19.01.2023

Navreet Singh and another

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Brijeshwar Singh Bhalia, Advocate
for the petitioners.

Mr. Ravinder Singh, AAG, Punjab

Mr. Harkaran Singh, 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.0076 dated 01.06.2018, under Sections 420, 406 and 120-B IPC, registered at Police Station Mehana, District Moga (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of compromise in the shape of affidavit (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners cheated the complainant for a sum of Rs.14.50 lacs on the pretext of sending him and his wife to Canada.

3. In pursuance to an order dated 25.09.2019 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 the compromise arrived at between them, report dated 15.11.2019 has been received from the concerned court, stating that the compromise effected between the parties is genuine and valid and is not result of any pressure or coercion etc. in any manner. All the accused and complainant are party to the compromise. No accused has been declared as proclaimed offender. It is also mentioned in the report that two FIRs are pending against petitioner No.2, whereas, three FIRs are pending against petitioner No.1.

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; the dispute being purely personal in nature, there does not appear to be 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 directions issued by this 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.0076 dated 01.06.2018, under Sections 420, 406 and 120-B IPC, registered at Police Station Mehana, District Moga (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners only.

7. Accordingly, petition stands disposed of but subject to deposit of a sum of Rs.15,000/- by the petitioners 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.

19.01.2023

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(HARKESH MANUJA)
JUDGE

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