

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-52162-2023
CRM-M-49298-2023
Date of Decision: 19.12.2023

Gaurav Sehdev and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS SURI

Present: - Mr. Karan Singla, Advocate
for the petitioner.

Mr. Gurvinder Singh Sidhu, AAG, Punjab.

VIKAS SURI, J. (Oral)

CRM-52162-2023 :

This is an application under Section 482 Cr.P.C. praying for grant of another opportunity for recording of statement before the trial Court in terms of the order dated 24.11.2023 passed by this Court.

Notice of the application.

Mr. Gurvinder Singh Sidhu, AAG, Punjab accepts notice on behalf of respondent No.1-State.

Learned State counsel submits that vide order/award dated 09.12.2023, permission was granted to the first informant to compound the offences and, accordingly, cancellation report submitted by the Investigating Agency was accepted on the ground of compromise between the parties. The order dated 09.12.2023 reads as thus:-

*“Cancellation report presented today. It be registered. This
cancellation report has been presented by the police in FIR No.208*

dated 02.12.2022, which was registered under Sections 406,420 of IPC at P.S. City Nawanshahr. This FIR was registered at the instance of first informant Vijay Kumar, who had disclosed to the police that in order to send his son abroad i.e. England, he had contacted agents Gaurav Sehdev, Sourav Sehdev and Krishna Devi of PCS Global, Banga Road, Nawanshahr, who asked for a sum of Rs.20 lacs from him. He had transferred total sum of Rs.10,62,000/- to them upto October-2020 for that purpose. They kept on lingering of the matter. Finally, they have duped him into parting with a sum of Rs.17,47,000/-, but they have failed to send his son abroad and have also failed to return the money.

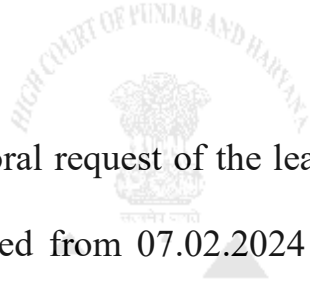
2. During investigation, an application was filed by Gaurav Sehdev, Sourav Sehdev and Krishna Devi claiming their innocence. Enquiry was duly conducted by Sh. Iqbal Singh, DSP, PBI Branch, SBS Nagar. He also conducted enquiry upon an application filed by one Kamal Sharma. During enquiry, the compromise was entered into between the parties. An affidavit was filed before the police by the first informant Vijay Kumar to the effect that a compromise has been effected between the parties and he has received the due amount from the accused and nothing more is to be required. Accordingly, cancellation report was presented.

3. Today, first informant Vijay Kumar has appeared and suffered a statement that he has no objection if the cancellation report is accepted on the basis of compromise.

4. Offences under Sections 420,406 of IPC are compoundable in nature with the permission of the Court in the present case, in view of the facts disclosed before the police by the first informant and in view of the statement suffered by him today in the court, it is apparent that the matter stands compromised to the complete satisfaction of the first informant. The dispute was of a private nature and no public injury is involved and there is no other injured or complainant in the present case. Therefore, the permission is granted to the first informant to compound the offences and the cancellation report is accordingly accepted on the ground of compromise between the parties. The judicial file be consigned to the record room and a copy of this order be sent to the police station concerned.

Dated: 09-12-2023.”

Learned counsel for the petitioner-applicant submits that in view of the above the present petition has been rendered infructuous and the same be disposed of as such.



On the oral request of the learned counsel for the petitioner, the main case is preponed from 07.02.2024 to today and with the consent of learned counsel for the parties, is taken on board for consideration.

CRM stands disposed of.

CRM-M-49298-2023 :

1. Prayer in this petition under Section 482 Cr.P.C. for quashing of case FIR No.208 dated 02.12.2022 under Sections 406/420 IPC registered at Police Station NSR City, Nawashahar on the basis of compromise vide affidavits dated 18.07.2023 and 18.09.2023, respectively, arrived at between the parties.
2. In view of the cancellation report having been accepted by the trial Court on 09.12.2023, prayer in the present petition does not survive.
3. Dismissed as having been rendered infructuous.

December 19, 2023

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**(VIKAS SURI)
JUDGE**

**Whether Speaking / Reasoned : Yes/No
Whether Reportable : Yes/No**

