

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-50806-2019

Date of Decision:-28.07.2023

Swaran Singh Pattar.

.....Petitioner.

Vs.

State of Punjab & Ors.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Hukam Singh, Advocate for
Mr. M.S. Sachdev, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. Mohd. Yousaf, Advocate and
Mr. Pradeep Singh, Advocate for the respondent no.2 to 4.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition under Section 482 Cr.PC is for quashing of proclamation proceedings including the issuance of Non Bailable Warrants of Arrest vide order dated 09.05.2019(Annexure P-3), order dated 14.06.2019 directing the issuance of proclamation (Annexure P-4) as well as impugned order dated 4.10.2019 (Annexure P-7) passed by JMIC, Jalandhar Sultanpur Lodhi in case CHI/1243/2019 arising out of FIR No.173 dated 18.08.2018 registered under Sections 406, 420, 120-B IPC P.S. Kartarpur, District Jalandhar (Rural) (Annexure P-1).

2. On 21.04.2023 the following order was passed:-

“ The prayer in the petition under Section 482 Cr.PC is for quashing of proclamation proceedings including the issuance of Non Bailable warrants of arrest vide order dated

09.05.2019 (Annexure P-3), order dated 14.06.2019 directing the issuance of proclamation (Annexure P-4) as well as impugned order dated 4.10.2019 (Annexure P-7) passed by JMIC, Jalandhar Sultanpur Lodhi in case CHI/1243/2019 arising out of FIR No.173 dated 18.08.2018 registered under Sections 406, 420, 120-B IPC P.S. Kartarpur, District Jalandhar (Rural) (Annexure P-1).”

On 12.04.2023 the following order was passed:-

“ On telephonic instructions obtained from the petitioner who is stated to be residing in Canada, the matter has been settled at Rs.45,00,000/- to be paid within the next one week to the complainant. The said fact has been accepted by the complainant. It has also been agreed between the parties that all litigations both civil and criminal filed by either side shall stand withdrawn with the payment of the said Rs.45,00,000/- and the parties are at liberty to move an application for quashing of the FIR.

List on 21.04.2023.

The Counsel for the petitioner states that a sum of Rs.45,00,000/- already stands paid to the complainant, a fact which has been accepted by the counsel for the State as also the counsel for the complainant.

In view of the above, the order dated 4.10.2019 (Annexure P-7) is stayed.

*List on **07.07.2023.**”*

The Counsel for the petitioner contends that in a connected petition bearing CRM-M-56857-2018 for quashing of the FIR, the proceedings stands quashed on the basis of the compromise and, therefore, no useful purpose would be served by allowing the present proceedings to continue.

The Counsel for the State admits the fact that a compromise has

been arrived at between the parties and the FIR in question i.e. FIR No.173 dated 18.08.2018 stands quashed by this court vide order of even date passed in CRM-M-56857 of 2018.

In view of the aforementioned facts, no useful purpose would be served by permitting the instant proceedings to continue. Therefore, the order dated 09.05.2019(Annexure P-3), order dated 14.06.2019 directing the issuance of proclamation (Annexure P-4) as well as impugned order dated 4.10.2019 (Annexure P-7) passed by JMIC, Jalandhar Sultanpur Lodhi in case CHI/1243/2019 arising out of FIR No.173 dated 18.08.2018 registered under Sections 406, 420, 120-B IPC P.S. Kartarpur, District Jalandhar (Rural) (Annexure P-1) and all subsequent proceedings arising therefrom stands quashed.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

July 28, 2023
Vinay

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