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

CRM-M-59619-2022
Date of Decision: January 18, 2023

KAPIL KUMAR GUPTA AND ORS. ..... Petitioners

Versus

STATE OF PUNJAB AND OTHERS ..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Siddhant Jain, Advocate for petitioners.

Mr. Ravinder Singh, A.A.G, Punjab.

Mr. Fateh Singh Bhullar, Advocate for
Mr. V.R. Jain, Advocate for
respondent Nos.2-7.

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HARKESH MANUJA, J. (ORAL)

By way of present petition under Section 482 Cr.P.C. the petitioners pray for quashing FIR No.233, dated 15.10.2022, under Sections 420, 120-B IPC, registered at Police Station Moti Nagar, District Ludhiana, (Annexure P-1) along with all consequential proceedings arising out of the same on the basis of the compromise dated 14.11.2022 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioners defrauded the complainants and threatened to kill them.

3. In pursuance to an order dated 20.12.2022 passed by this Court whereby, the parties were directed to appear before trial Court for getting their statements recorded as regards the veracity of the compromise arrived at between them, a report dated 17.01.2023 has been received from the concerned Court, stating that there are five

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accused persons and no accused has been declared as proclaimed offender.

4. Learned counsel for the petitioners submits that once, a compromise has been arrived at between the parties without any pressure and respondent No.2-7 have no objection as regard quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; the dispute purely personal in nature, there does not appear to be any impediment as regards quashing of present FIR. He also submits that even, 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 allegations in the present FIR are of serious nature and he opposes the prayer made in the petition.

6. I have heard learned counsel for the parties and gone through the records including the report dated 17.01.2023. 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.***

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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 judgments, the FIR No. 233, dated 15.10.2022, under Sections 420, 120-B IPC along with all consequential proceedings arising therefrom, are hereby quashed.

8. Accordingly, petition stands allowed but subject to deposit of a sum of Rs.20,000/- by the petitioners in equal proportion within a period of two weeks from today in the following account:-

Account name:	Punjab and Haryana high court Association Lawyer's Welfare Fund
Account No:	41564846387
Bank Name:	S.B.I. High Court Branch.

18.01.2023 (**HARKESH MANUJA**)
tejwinder **JUDGE**

Whether speaking/reasoned	*Yes/No*
Whether Reportable	*Yes/No*

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