

2024:PHHC:004918

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-8338-2023 (O&M)

Date of Decision:-15.1.2024

Sreekumar Paul @ Kumar Pal

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Sushma Chopra, Advocate for the petitioner.

Mr. Hakam Singh, AAG, Punjab.

Mr. Simranjit Singh, Advocate for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks quashing of FIR No.188, dated 13.10.2014 registered at Police Station Sadar Jalandhar, District Jalandhar, under Section 420 of Indian Penal Code and Sections 103 and 104 of Trade Marks Act, 1999 and all subsequent proceedings emanating therefrom on the basis of a compromise stated to have been effected between the parties.
2. Vide order dated 27.2.2023, the parties had been directed to appear before the Illaqa Magistrate/Trial Court so as to get their statements recorded qua the factum of compromise.
3. Report of learned Additional Chief Judicial Magistrate, Jalandhar has been received, wherein it has been reported that statements of petitioner/accused Sreekumar Paul @ Kumar Pal and also of Neeraj Piplani, Deputy Manager

(Accounts), Technico Agri Sciences Limited, Chandigarh have been recorded to the effect that they have compromised the matter amongst themselves. Said Neeraj Piplani, Deputy Manager (Accounts), Technico Agri Sciences Limited, Chandigarh in his statement has also stated that although the present FIR has been got registered by Harpreet Singh (respondent No.2), HR Manager, Technico Agri Sciences Limited, Chandigarh, but Harpreet Singh had unfortunately expired and he has been authorized through Power of Attorney dated 28.11.2020 by the company to appear in the present case.

4. Mr. Neeraj Piplani, Deputy Manager (Accounts), Technico Agri Sciences Limited, Chandigarh in his statement has stated that he has no objection in case the FIR in question is quashed.
5. Learned Additional Chief Judicial Magistrate, Jalandhar has specifically opined that the parties have entered into compromise voluntarily and without any undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.188, dated 13.10.2014 registered at Police Station Sadar Jalandhar, District Jalandhar, under Section 420 of Indian Penal Code and Sections 103 and 104 of Trade Marks Act, 1999 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

15.1.2024
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(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking
Whether reportable

Yes / No
Yes / No