

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

293

CRM-M No.12133 of 2024
Date of Decision: 15.04.2024

SUSHIL PRUSHOTTAM BAWKAR AND OTHERS
.....Petitioner(s)

Vs

STATE OF PUNJAB
....Respondent

CORAM: *HON'BLE MR. JUSTICE HARKESH MANUJA*

Present: Mr. Shivdeep, Advocate and
Mr. Sahil Soi, Advocate
for the petitioners.

Mr. Siddharth Sandhu, Asstt. A.G., Punjab.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., prayer is made for quashing of FIR No.146 dated 19.07.2023 registered under Sections 420, 120-B IPC and Section 24 of Immigration Act at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom.

2. On 05.04.2024, following order was passed by this Court:-

“Since complainant-respondent No.2 has not engaged any lawyer, Mr. Siddharth Sandhu, AAG, Punjab is requested to assist respondent No.2.

The petitioners have brought a draft bearing No.001763 dated 09.02.2024 amounting to Rs.2,70,00/- in the name of respondent No.2 which on due verification of Investigating Officer, who is present in Court, namely SI Satwinder Singh has been handed over to complainant-respondent No.2.

Respondent No.2 out of her own volition submits that now none of her grievance is left over in FIR in question as she has received the entire

amount and thus has no objection in case the proceedings are quashed qua the petitioners.

Respondent No.2 further undertakes to file an affidavit during the course of day.

Adjourned to 15.04.2024.”

3. In pursuance of the aforesaid order, an affidavit of Santosh Rani/respondent No.2 has been filed in Court, which is taken on record. Respondent No.2 was duly identified by the Investigating Officer on the last date of hearing. In her affidavit, respondent No.2 even admitted the factum of receipt of Rs.2,70,000/- and also states about her no objection qua quashing of FIR in question.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner(s); there does not appear to be any impediment as regards quashing of present FIR qua the petitioner(s). Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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. 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.

6. Thus, in view of the aforesaid affidavit dated 05.04.2024 of the respondent No.2 as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.146 dated 19.07.2023 registered under Sections 420, 120-B IPC and Section 24 of Immigration Act at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana as well as all the subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

7. Accordingly, petition stands, allowed however subject to payment of cost(s) of Rs.5,000/- to be deposited with the Punjab and Haryana High Court Bar Clerks Association, Chandigarh within a period of two weeks from today.

April 15, 2024
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(HARKESH MANUJA)
JUDGE

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