



CRM-M-38341-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

285

CRM-M-38341-2024

Date of decision : 07.11.2024

Prabal Jindal

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Akhil Ahuja, Advocate for petitioner.

Mr. Gautam Thapar, AAG, Punjab.

Mr. Shubham Thakur, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioner Prabal Jindal has filed present petition under Section 482 Cr.P.C. for quashing of FIR No.47 dated 20.03.2024, under Sections 406, 420 of IPC, 1860, registered at Police Station Sadar Nabha, District Patiala (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 01.05.2024 (Annexure P-2).

2. Facts of the case are that a written complaint was filed by Rinku Garg that he wanted to buy land and regarding this he came in contact with Raman Kumar and Sandeep Kumar who wanted to sell their 26 bighas of land in village Rohti Khas, Tehsil Nabha, District Patiala. Deal was struck at the rate of Rs.37,00,000/- per acre. He paid Rs.10,00,000/- in cash to Prabal Jindal on 14.12.2023 at the instance of Raman Kumar and Sandeep Kumar. Prabal Jindal issued a written receipt regarding the payment received by him. Thereafter, he requested Raman Kumar and Sandeep Kumar to execute agreement to sell but they started avoiding him. Thereafter, he came to know that Prabal Jindal entered into

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a deal with other persons Sumit and Vikram at the rate of Rs.42,51,000/- per bigha and received Rs.40,00,000/- in advance. In receipt date fixed for registration was 30.06.2024. In this way Prabal Jindal in conspiracy with Raman Kumar and Sandeep Kumar cheated him. He requested them to refund his money but of no consequence. With these allegations, present FIR has been registered.

3. Learned counsel representing State has filed status report, which is taken on record. Copy of sale deed is also placed on record.

4. Petitioner filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. Detailed report regarding compromise has been received from the court of Judicial Magistrate Ist Class, Nabha dated 25.09.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioner. As per compromise, sale deed has been executed by accused Prabal Jindal in his favour. He confirmed that this compromise has been effected without any pressure, coercion or undue influence from any side and he has no objection regarding quashing of FIR.

5. Petitioner – Prabal Jindal also confirmed this fact in his statement. Statement of ASI Gurdev Singh is also recorded. He stated that accused Prabal Jindal is also involved in FIR No.60 dated 06.06.2024, under Sections 406, 420 & 120-B of IPC, registered at Police Station Bhadson, District Patiala. The accused has not been declared as proclaimed offender.

6. Therefore, from the report of Judicial Magistrate Ist Class,

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Nabha, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties.

7. Considering all these factors in mind, in the case in hand registration of other FIR cannot be looked into for the disposal of present petition. Both parties have mutually settled their dispute and in pursuance of said compromise Prabal Jindal has already executed sale deed in favour of vendors as detailed in the sale deed. It would enable them to live in peace and harmony and end all litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

8. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.47 dated 20.03.2024, under Sections 406, 420 of IPC, 1860, registered at Police Station Sadar Nabha, District Patiala (Annexure P-1) and all other subsequent proceedings arisen therefrom are quashed qua petitioner.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

07.11.2024.*Sunil Devi*

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No