

CRM-M-45640-2023

269 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-45640-2023
DATE OF DECISION:-15.01.2024

Jayanti @ Jayanti Kaur

...Petitioner

vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Ramandeep Singh Bal, Advocate,
for the petitioner.

Mr. Shubham Kaushik, AAG, Punjab.

Mr. Prateek Sodhi, Advocate,
for respondents No.3 & 4.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.22, dated 17.02.2023, under Sections 420, 465, 467, 468 and 471 IPC, registered at Police Station Division No.4, District Patiala (Annexure P-2) and all other subsequent proceedings arising therefrom on the basis of compromise 21.07.2023 (Annexure P-4).

2. As per allegations levelled in the FIR, the petitioner committed fraud and forgery of rent agreement with the complainant.

3. In pursuance of order dated 23.11.2023 passed by this Court, whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 21.12.2023 has been received from the

concerned Court, stating that the compromise effected between the parties seems to be genuine. They have compromised the matter voluntarily and without any coercion or undue influence and statements recorded by the parties are not the result of any pressure and coercion. Respondent No.4- Peeble @ Darpan Aulakh, being resident of USA appeared through her power of attorney namely, Avinder Kaur (mother of respondent No.2). Petitioner-accused has not been declared as proclaimed person.

4. Once, the compromise has been arrived at between the parties without any pressure and respondents No.3 & 4 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioner. Even otherwise, 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. 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 facts, accompanied by statements

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of both the parties as well as keeping in mind the law laid down in the
aforementioned judgments, FIR No.22, dated 17.02.2023, under Sections
420, 465, 467, 468 and 471 IPC, registered at Police Station Division No.4,
District Patiala as well as all subsequent proceedings arising therefrom are
hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs
of Rs.5,000/- to be deposited by the petitioner with the Punjab and Haryana
High Court Bar Association, within a period of two weeks from the date of
receipt of certified copy of this order.

15.01.2024
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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No