



CRM-M-51987-2023

-1-

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

275

CRM-M-51987-2023

Date of decision : 24.07.2024

Mobin Ansari and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Aayush Goyal, Advocate for petitioners.

Mr. Amandeep Singh, DAG, Punjab.

Mr. Manjot Singh Rai, Advocate for respondent No.2.

AMARJOT BHATTI J.

1. Petitioners-Mobin Ansari, Afsina, Naveed Hussain, Sukhdev Singh and Ravinder Singh have filed instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0189 dated 07.10.2021 under Sections 420, 120-B, 506 of IPC (Sections 465, 467, 468 and 471 of IPC were added later on), registered at Police Station Division No.7, District Police Commissionerate Ludhiana (Annexure P-1) on the basis of compromise between parties dated 04.10.2023 (Annexure P-2).

2. Facts of the case are Mokim Ansari filed written complaint against Mobin Ansari, Afreena, Naveed Hussain, Sukhdev Singh, Rajinder Singh and Tejinder Singh that complainant purchase House No.2905, Sector 32, Ward No.11, Chandigarh Road, Ludhiana measuring 125 square yards vide sale deed dated 11.12.2022. He was residing in the said house

**CRM-M-51987-2023****-2-**

along with his family. Entire sale consideration was paid by him. On 04.05.2021 accused No.1 and 2 i.e. Mobeen Ansari and Afreena along with their daughter Naaz intentionally did not let him enter his house. On the next day, with the intervention of respectables and other relatives, he was allowed to enter in the house. On 12.05.2021, Pushpinder Singh came and showed him one agreement regarding final settlement of his property to be sold by his brother and having received Rs.35,00,000/-. The said agreement was forged by accused in order to deprive him from his property. He was threatened by Naveed Hussain accused No.3. The said agreement was signed by accused No.4 and 5 i.e. Sukhdev Singh and Rajinder Singh as witnesses. On his complaint, present FIR has been registered.

3. Petitioners filed this petition for quashing of aforesaid FIR on the basis of compromise. Petitioners 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 1st Class, Ludhiana dated 22.05.2024. Statement of respondent No.2 has been recorded, where he confirmed the compromise with petitioners. He confirmed that this compromise has been effected without any pressure, coercion from any side and he has no objection regarding quashing of FIR.

4. Petitioners – Mobin Ansari, Afrina, Naveed Hussain, Sukhdev Singh and Ravinder Singh also confirmed this fact in their separate statements. Statement of SI Palwinder Singh is also recorded who further confirmed that no accused has been declared as proclaimed



CRM-M-51987-2023

-3-

offender.

5. Therefore, from the report of Judicial Magistrate 1st Class, Ludhiana, it is clear that compromise has been effected between parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Gainful reference can be made to the authority of our own High Court i.e. **Larger Bench of Five Judges 2007(3) RCR (Criminal) 1052** case titled ***“Kulwinder Singh and others vs. State of Punjab and another”*** where it was explained that inherent power of this Court under Section 482 cannot be limited to matrimonial cases alone and the Court has wide power to quash the proceedings even in non-compoundable offences notwithstanding the bar under Section 320 of Criminal Procedure Code in order to prevent abuse of law and to secure ends of justice.

6. Considering all these factors in mind, in the case in hand both parties have mutually settled their dispute. Respondent No.2 and petitioners No.1 and 2 are close family members. Petitioner No.1 and respondent No.2 are brothers whereas petitioner No.2 is wife of petitioner No.1. After compromise they will be able to live peacefully. It will end litigation started between them. Thus no purpose would be served with the continuation of criminal proceedings.

7. Therefore considering these facts, petition filed by petitioner is accepted and FIR No.0189 dated 07.10.2021 under Sections 420, 120-B, 506 of IPC (Sections 465, 467, 468 and 471 of IPC were added later on), registered at Police Station Division No.7, District Police Commissionerate Ludhiana (Annexure P-1) and all other subsequent



CRM-M-51987-2023

-4-

proceedings arising therefrom are quashed.

8. Accordingly, present petition stands accepted.
9. Pending miscellaneous application(s), if any, stand disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

24.07.2024.
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No