

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-57716-2023 (O&M)
Date of Decision: 18.01.2024

Satnam Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Monika Tanwar, Advocate for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Rohit, Advocate for
Mr. Samay Sandhawalia, Advocate for respondent No. 2.

HARPREET SINGH BRAR, J. (Oral)

CRM-48123-2023

This is an application filed under Section 482 Cr.P.C for exemption from filing the typed/certified copies of Annexures.

Allowed, as prayed for.

CRM-48124-2023

Prayer in the application is for impleading the legal representatives of respondent No. 2-Rajan Kumar Bansal, who is stated to have died on 02.11.2022. The details of the legal representatives have been mentioned in para No. 2 of the application.

In view of the above and keeping in view the fact that the application is supported by affidavit of Satnam Singh son of Bhadur Singh, the present application is allowed, subject to all just exceptions.

Legal representatives as detailed in para 2 of the application are

brought on record.

CRM-M-57716-2023

1. This petition has been filed under Section 482 of the Code of Criminal Procedure seeking quashing of FIR No. 185 dated 17.08.2006 registered under Section 420 of Indian Penal Code at Police Station Sadar Ludhiana, District Ludhiana and all subsequent proceedings arising therefrom in view of the compromise dated 18.10.2023 (Annexure P-2).

2. The FIR has been registered on the statement of complainant- Rajan Kumar Bansal (now deceased)- respondent No. 2 on the allegations that the petitioner approached respondent No. 2 on the pretext of sale of land measuring 25 kanal, 8 marlas situated in village Baddowal, Tehsil and District Ludhiana. Believing the representation made by the petitioner to be true, respondent No. 2 executed an agreement dated 25.05.2005 regarding sale of said land for total consideration of Rs. 1,49,22,500/-. A sum of Rs. 20,00,000/- was paid by respondent No. 2 as earnest money. However, the petitioner failed to appear at the office of Sub Registrar, Ludhiana on 20.01.2006 for execution and registration of sale deed. Later, respondent No. 2 found out that mutation regarding the said land has been sanctioned in favour of one Leeza Oberoi. Now with the intervention of respectable persons, the matter has been amicably compromised between the parties (Legal representatives of the respondent No. 2 and the petitioner) and they have resolved their disputes and differences.

3. Keeping in view the fact that the parties have entered into a compromise, they were directed to appear before the trial court/Illaq Magistrate for getting their statements recorded in support of the compromise. In pursuance of the direction, a report has been received from

at between the parties is without any pressure or coercion from any one and the same is genuine one.

4. Learned State counsel on instructions from the Investigating Officer and learned counsel for respondent No. 2 admitted the factum of compromise and submitted that in case the parties have indeed settled their dispute, the State would have no objection to the quashing of the FIR, in view of the law laid down by the Hon'ble Supreme Court.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. The parties have arrived at a compromise and settled their dispute. A compromise not only brings peace and harmony between the parties to a dispute, but also restores tranquility in the society. After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak. A two Judge Bench of the Hon'ble Supreme Court in ***Shakuntla Sawhney (Mrs) Vs. Kaushalya (Mrs.) and others (1980) 1 SCC 63***, speaking through Justice V.R. Krishna Iyer, has held as under:-

“4.The finest hour of justice arrives propitiously when parties, despite falling apart, bury the hatchet and weave a sense of fellowship or reunion.....”

7. Consequently, keeping in view the fact that the dispute has been amicably settled and in view of the law laid down by the Hon'ble Supreme Court in **Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466** and **Ramgopal and another Vs. State of Madhya Pradesh 2021 SCC OnLine SC 834** and Full Bench of this Court in

petition is allowed and FIR No. 185 dated 17.08.2006 registered under Section 420 of Indian Penal Code at Police Station Sadar Ludhiana, District Ludhiana and all subsequent proceedings arising out of the same are quashed qua the petitioner only.

(HARPREET SINGH BRAR)

JUDGE

18.01.2024

Rajeev (rvs)

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