

CRM-M-58198-2023

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2024:PHHC:059150

268 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-58198-2023

DATE OF DECISION:-30.04.2024

Sandeep Singh

...Petitioner..

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Munish Kumar, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

Mr. Nagar Singh, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.199 dated 21.11.2022, registered under Section 408 IPC, at Police Station City Nawanshahr, District SBS Nagar (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 12.05.2023 as well as statements dated 18.05.2023 (Annexures P-2 and P-3).

2. As per the allegations, the petitioner committed the breach of trust and misappropriated the amount by impersonating himself as employee of the company.

3. In pursuance of order dated 13.03.2024 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, report dated 27.03.2024 has been received from the concerned Court, stating that the compromise entered between the parties i.e. complainant-Vikas Thakur and accused-Sandeep Singh is genuine, without any pressure or undue influence. No accused has been declared as proclaimed person.

4. 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; 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. Moreover, learned counsel for the petitioner on instructions from his client, submit that he volunteers to deposit a sum of Rs.5000/- with the Punjab and Haryana High Court Clerks Bar Association.

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.199 dated 21.11.2022, registered under Section 408 IPC, at Police Station City Nawanshahr, District SBS Nagar as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

8. 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 Clerks Bar Association, within a period of two weeks from today from the date of receipt of certified copy of this order.

30.04.2024

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(HARKESH MANUJA)
JUDGE

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