

CRM-M No.64316 of 2023 (O&M)

2024:PHHC:022417

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

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CRM-M No.64316 of 2023 (O&M)
Date of Decision: 16.02.2024

INDERJIT SINGH**.....Petitioner****Vs****STATE OF PUNJAB AND ANOTHER****....Respondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Ms. Navneet Kaur Waraich, Advocate
for the petitioner.

Mr. Siddharth Sandhu, Asstt. A.G., Punjab.

Mr. Rakesh Kumar, Advocate for
Mr. Kulwinder Singh, Advocate
for respondent No.2.

HARKESH MANUJA, J. (Oral)

[1]. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No.145 dated 14.09.2022 registered under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professionals Regulation Act, 2014 at P.S. Nakodar Sadar, District Jalandhar Rural (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 21.10.2023 (Annexure P-2).

[2]. The FIR in question was registered on the basis of complaint made by respondent No.2 with regard to payment of Rs.12,00,000/-on the pretext of sending the son of complainant abroad. As per FIR, there were two accused including the present petitioner.

[4]. In pursuance to order dated 21.12.2023 passed by this Court, whereby the parties were directed to appear before the *Illaq*a Magistrate/Trial Court for

getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 03.02.2024 has been received from the concerned court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. The petitioner-accused has not been declared as proclaimed offender.

[5]. 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 present 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.

[6]. 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 the case(s) of **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.**

[7]. Further, learned counsel for the petitioner, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the case of **Jayrajsingh**

Digvijaysinh Rana Vs. State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589 and this Court in the case(s) of *Joginder Singh & another Vs. State of Punjab and another*, passed in *CRM-M No.23739 of 2010* decided on 27.04.2011, *Rajinder Singh Vs. State of Punjab & another*, passed in *CRM-M No.37395 of 2016* decided on 16.05.2017 and *Vimal Kalra & others Vs. State of Punjab & another*, passed in *CRM-M No.20355 of 2022*, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[8]. 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, the FIR No.145 dated 14.09.2022 registered under Sections 406, 420, 120-B IPC and Section 13 of Punjab Travel Professionals Regulation Act, 2014 at P.S. Nakodar Sadar, District Jalandhar Rural as well as all the subsequent proceedings arising therefrom are hereby quashed *qua* the petitioner.

[9]. Accordingly, petition stands allowed, however, subject to payment of cost(s) of Rs.10,000/- to be deposited in the Poor Patients Welfare Fund of the PGIMER, Chandigarh, within a period of two weeks from today.

February 16, 2024
Atik

(HARKESH MANUJA)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No

MOHMED ATIK
2024.02.16 17:47
I attest to the authenticity and
integrity of this
order/judgment