

(2013) 08 P&H CK 0719

High Court Of Punjab And Haryana At Chandigarh**Case No:** CRM No. M-13119 of 2013

Ritesh Goyal

APPELLANT

Vs

State of Punjab and Others

RESPONDENT

Date of Decision: Aug. 14, 2013**Acts Referred:**

- Penal Code, 1860 (IPC) - Section 420, 486
- Trade and Merchandise Marks Act, 1958 - Section 102, 103, 104

Hon'ble Judges: R.P. Nagrath, J**Bench:** Single Bench**Advocate:** Viren Jain, for the Appellant; Ankur Jain, AAG for the State, Punjab and Mr. Saurabh Garg, Advocate for Respondent No. 2 and 3, for the Respondent**Final Decision:** Allowed

Judgement

R.P. Nagrath, J.

The instant petition has been filed for quashing FIR No. 329 dated 5.12.2012 for offences under Sections 420, 486 IPC and Sections 102, 103, 104 of the Trade and Merchandise Marks Act and the subsequent proceedings on the basis of the written compromise arrived at between the parties. The report from the trial Court has been received after recording the statements of the parties alongwith original statements. It is reported that compromise is voluntary and without any coercion or undue influence. The compromise reached between the parties is Annexure P-3.

2. Counsel for respondents No. 2 and 3 has filed copy of the resolution of the Board of Directors dated 13.3.2013 and submits that by this resolution, authorisation has been given to respondent No. 2 to enter into a compromise.

3. Detailed statements of respondent No. 2 and that of petitioner were recorded by the trial Court. All the disputes of payment and compensation have been settled. The respondents stated that they have no objection if the FIR and subsequent proceedings are quashed. It is also agreed that petitioner will not commit any

breach of the undertaking in future also.

4. No useful purpose would be served in continuing the proceedings in this case in view of the compromise arrived at between them.

5. Following the principles laid down by the Full Bench judgement of this Court in [Kulwinder Singh and Others Vs. State of Punjab and Another](#), and approved by the Hon'ble Supreme Court in [Gian Singh Vs. State of Punjab and Another](#), this petition is allowed and FIR No. 329 dated 5.12.2012 for offences under Sections 420, 486 IPC and Sections 102, 103, 104 of the Trade and Merchandise Marks Act and the subsequent proceedings conducted on the basis thereof, are quashed. Needless to say that parties especially the petitioner shall remain bound by the terms of compromise and the declaration Annexure P-2.