

(2017) 12 P&H CK 0001

High Court Of Punjab And Haryana At Chandigarh

Case No: M-16289 of 2017 (O&M)

Amandeep Singh Gill and
another

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision: Dec. 15, 2017

Acts Referred:

- Code of Criminal Procedure, 1973, Section 482 - Saving of inherent powers of High Court
- Indian Penal Code, 1860, Section 420, Section 120-B - Che

Hon'ble Judges: Surinder Gupta

Bench: SINGLE BENCH

Advocate: G.S. Sandhu, C.L. Pawar

Final Decision: Allowed

Judgement

1. The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, " Cr.P.C .") seeking quashing of FIR No. 187 dated 20.12.2014 (Annexure P-1) along with all consequential proceedings arising therefrom, registered for offence punishable under Section 420 read with Section 120-B of Indian Penal Code (for short " IPC ") at Police Station Moga Sadar, District Moga, on the basis of the compromise by way of affidavit of complainant (Annexure P-2).

2. As per the allegations, both the petitioners received a sum of Rs.12,65,000/- on different dates from the complainant, Raj Kaur for getting her son exonerated in a case registered against him at Police Station Kot Ise Khan, Moga.

3. Learned counsel for the petitioners submits that the matter has since been settled vide compromise by way of affidavit of complainant, copy of which has been placed

on file as Annexure P-2.

4. Learned State counsel has also not disputed compromise by way of affidavit of complainant (Annexure P-2).

5. In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated 18.09.2017 stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary in nature and without any pressure or influence.

6. Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

7. For the reasons as discussed above, the instant petition is allowed and the impugned FIR 187 dated 20.12.2014 (Annexure P-1) registered for offences punishable under Section 420 read with Section 120- B IPC at Police Station Moga Sadar, District Moga along with all consequential proceedings arising therefrom, qua petitioners, is quashed.