
(2011) 12 P&H CK 0189

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous No. M 10251 of 2011

Balbir Singh

APPELLANT

Vs

State of Punjab and another

RESPONDENT

Date of Decision : 13-12-2011

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 420

Citation : (2011) 12 P&H CK 0189

Hon'ble Judges : Ranjit Singh, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Ranjit Singh, J.—The petitioner is accused of offence u/s 420 IPC on the basis of FIR registered on 12.03.2011. The petitioner has now filed this petition for quashing of the said FIR on the basis of compromise. The dispute, in this case, leading to allegation of cheating which is on the basis of agreement to sell. The matter has now been resolved between the parties on the intervention of respectables of the locality. The petitioner now wants to maintain good relations and harmony for future. The petitioner has sworn an affidavit, copy of which is annexed with the petition to indicate compromise.

2. When this case came up for hearing before this Court on 05.04.2011, the parties were directed to appear before the trial Court and make statements in regard to the validity of this compromise. The trial Court has now forwarded the report to the effect that the parties have indeed entered into this compromise on account of their free will and the compromise is genuine. Copies of the statements, as recorded by the trial Court, has also been forwarded. Since the parties have reached compromise and the dispute primarily appears to be of civil nature, no useful purpose would be served in allowing this prosecution to continue. This Court would have ample power u/s 482 Cr.P.C. in view of ratio of law laid down in Kulwinder Singh and others versus State of Punjab and others

2007(3) RCR (Cri.) 1052 to quash the FIR and subsequent proceedings on the basis of compromise.

3. Accordingly, the present petition is allowed. FIR No. 16 dated 12.03.2011 registered under Sections 420 IPC at Police Station Haryana, District Hoshiarpur and all subsequent proceedings against the petitioner are hereby quashed.