

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

**Crl. Misc. No. M-15811 of 2014 (O&M)
Date of decision : 30.01.2015**

Bhagat Singh

....Petitioner

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Darshan Singh, Advocate
for the petitioner.

Mr. Daljeet Singh Virk, AAG, Punjab.

RITU BAHRI, J. (Oral)

Quashing of FIR No. 257 dated 02.07.2011 under Sections 420/120-B
IPC registered at P.S. City Sangrur, is being sought on the basis of compromise
dated 05.04.2014 (Annexure P-4).

F.I.R has been registered on the statement of respondent No. 2 and 3
against the petitioner with the allegations that they wanted to go to Cyprus and at
the behest of Jaggi son of Bhagat Singh and gave Rs.4,40,000/- to Bhagat Singh
and gave Rs.2 lacs to Vicky whose brother Maninder Singh @ Mani resides in
Cyprus and also deposited Rs.20,000/ in HDFC Bank. Vijay was sent from Cyprus
and Visa was sent in the name of Mohd. Yaseen and it was valid upto 13.12.2010
but he was not taken on this Visa. Thereafter at the asking of Jaggi, Tinku who has
come to India from Cyprus to take him to Cyprus and to return money of Baljinder
Sharma. Neither the money is being returned to them nor they were taken to
Cyprus. The complainants have mortgage the house and deposited jewellery with
the bank and they are being threatened by the petitioners. In this context the FIR
was registered.

The matter has now been duly compromised between the parties, vide
compromise deed 05.04.2014 (P-4)

In compliance of order dated 17.11.2014, report of Chief Judicial Magistrate, Sangrur has been received and statements of complainant-Mohd. Yaseen and Yadwinder Sharma has been recorded to the effect that they have compromised the matter voluntarily without any pressure, threat or coercion. The complainants have received Rs.1,50,000/- on 20.11.2014 and Rs.50,000/- on 05.04.2014 and nothing is due as per compromise (P-4). They have no objection, if the present F.I.R be quashed against the Bhagat Singh and Jagsir Singh @ Jaggi only. Separate statement of petitioner-Bhagat Singh has been recorded to the same effect. The compromise has been entered voluntarily and without any pressure.

Learned counsel for the State informed that against accused Jagsir Singh @ Jaggi and Maninder Singh @ Mani proclamation proceedings were got initiated in the year 2012. As per report of the police dated 21.12.2011 (Annexure P-5) accused Jagsir Singh @ Jaggi has gone to Cyprus and had not come to his village Uppali.

Consequently, in view of the status report and in view of the judgment of the Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429**, the law laid down by the Full Bench of this Court in the case of **Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052**, no useful purpose would be served in prolonging the litigation.

Since the son of the petitioner was abroad at the time of registration of FIR and keeping in view the statement made by complainants, FIR No. 257 dated 02.07.2011 under Sections 420/120-B IPC registered at P.S. City Sangrur, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of.

30.01.2015

(RITU BAHRI)
JUDGE