

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No. 27051 of 2014.
Date of Decision : 09.04.2015.

Ms. Rashmi

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Ajay Pal Singh, Advocate for the petitioner.

Mr. Mikhail Kad, Assistant Advocate General, Punjab.

Mr. Abnash Singh, Advocate for respondents No. 2 to 7.

Tejinder Singh Dhindsa, J. (Oral)

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No. 22, dated 14.02.2014, under Sections 406, 420 of IPC read with Section 24 of Immigration Act, registered at Police Station Mataur, District Mohali, on the basis of compromise.

The accused in the present case is Rashmi, who was stated to be the owner of M/s Real Abroad Consultants. The allegations were with regard to having received money from the complainants/private respondents No. 2 to 7 for facilitating their travel abroad.

On 16.10.2014, this Court had directed the parties to appear before the trial Court for recording of their statements and a report with regard to veracity of the compromise had been called for.

Placed on record is a report dated 23.12.2014 of the Judicial Magistrate Ist Class, SAS Nagar, Mohali and a perusal of the

same would reveal that the statements of all the complainants as also accused have been recorded. It has further been opined that since the complainants have received back the full and final payment as such the compromise has been effected without any pressure or coercion.

Even learned counsel appearing for the complainants in Court today makes a statement that he has no objection to the FIR being quashed.

A Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052* has taken a view that in appropriate cases this Court in exercise of its powers under Section 482 Cr.P.C. can intervene and bring to an end the criminal prosecution in the light of compromise that may have been effected between the parties, even in relation to non-compoundable offences.

In the facts of the present case, wherein, the dispute between the parties has been amicably resolved and the entire amount due has been paid by the accused to the complainants, it would be a fit case for this Court to intervene in exercise of its powers under Section 482 Cr.P.C. to bring to an end the criminal prosecution initiated in the light of the impugned FIR.

Accordingly, the present petition is allowed. Impugned FIR No. 22, dated 14.02.2014, under Sections 406, 420 of IPC read with Section 24 of Immigration Act, registered at Police Station Mataur, District Mohali and all proceedings emanating therefrom stand quashed.

Petition disposed of.

April 09, 2015.
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(TEJINDER SINGH DHINDSA)
JUDGE