

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-33733 of 2013

Date of decision:21.05.2015

Harmandeep Singh and another Petitioners

Versus

State of Punjab and another Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Puneet Kumar Sharma, Advocate for the petitioners.
Mr. P.S. Grewal, DAG, Punjab.

Navita Singh, J. (Oral)

This is a petition under Section 482 of the Code of Criminal Procedure, 1973, for quashing of FIR No.135 dated 30.6.2013 registered under Sections 406, 420, 120-B IPC and 24 of Immigration Act at Police Station Mataur, District SAS Nagar, Mohali on the basis of compromise, along with all subsequent proceedings arising therefrom.

Counsel for the petitioners submits that in the present FIR, the complainant was Shingara Singh who has already settled the matter with the petitioners and made his statement before JMIC, SAS Nagar, Mohali in terms of order dated 26.3.2014. According to the reply filed by the State, certain other people also reported that the petitioners had taken money from them on the pretext that they would send them abroad and it is submitted that if any complaint is made by some other person, the police is free to take action against the petitioners as per law.

So far as the present FIR is concerned, on the basis of statement made by the complainant, the relief prayed may be granted to them. Statements of the petitioners (accused persons) were also recorded.

They stated that they have compromised the matter. Complainant stated

that he has no objection if the aforesaid FIR is quashed. The Court also recorded its satisfaction that the statements made were voluntary. The compromise effected between the parties appears to be genuine and without any force or undue pressure.

The submissions made by counsel for the petitioners are reasonable and convincing.

In view of this, there should not be any impediment in allowing the parties to compromise the matter. Support to this view can be had from the authority Madan Mohan Abbot v. State of Punjab, 2008(2) RCR (Criminal) 429.

In view of the facts delineated above, the petition is accepted. The above said FIR and the proceedings connected therewith are hereby quashed.

Disposed of.

21.05.2015
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(NAVITA SINGH)
JUDGE