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

**CRM-M-9846-2017**

Date of decision:11.09.2017

NITAN PAL SINGH

... Petitioner

versus

STATE OF PUNJAB & ANOTHER

.... Respondents

**II. CRM-M-25025-2017**

GURNAM SINGH

... Petitioner

versus

STATE OF PUNJAB & ANOTHER

.... Respondents

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

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Present: Mr. S.P. Soi, Advocate,  
for the petitioners.

Mr. Bhupender Beniwal, AAG, Punjab,  
for respondent No.1.

Mr. Jasbir Singh Mohri, Advocate,  
for respondent No.2.

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**HARI PAL VERMA, J.(Oral)**

This order shall dispose of two petitions i.e. CRM-M-9846-2017 titled as 'Nitan Pal Singh Versus State of Punjab and another' and CRM-M-25025-2017 titled as 'Gurnam Singh Versus State of Punjab and another', as common facts are involved therein.

Prayer in these petitions filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.192 dated 05.08.2013 under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act, 1983, registered at Police Station Phase I, SAS Nagar Mohali (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 23.02.2017 (Annexure P-2).

Vakalatnama filed on behalf of respondent No.2 in CRM-M-25025-2017 is taken on record.

This Court vide order dated 18.07.2017 in CRM-M-9846-2017 and order dated 17.07.2017 in CRM-M-25025-2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid orders, parties have appeared before learned Chief Judicial Magistrate, SAS Nagar, Mohali and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 04.09.2017 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

Respondent No.2-complainant, namely, Sohan Singh has made his statement with regard to compromise before learned Magistrate on 14.08.2017. The same is reproduced as under:-

“Stated that an FIR No.192 dated 05.08.2013 U/s 406, 420, 120B IPC and Section 5 of Immigration Act Police Station Phase-1, Mohali against Gurnam Singh and Nitam Pal. All

the misunderstandings and grudges now ceases to exist between both the parties. Resultantly both the parties entered into mutual compromise dt. 23.02.2017 Ex.C1, in order to bring to an end the aforesaid criminal case to settle down peacefully and amicably in future jointly. This compromise has been effected mutually between us, with the freewill, without any force, fraud and pressure, in order to transmit a good signal in the society. My copy of ID Card is Ex.C2. I am not interested to proceed in the aforesaid case anymore against the above said accused persons. I have no objection in case the aforesaid FIR is quashed against Gurnam Singh and Nitam Pal on the basis of the compromise.”

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052** and approved by the Hon'ble Supreme Court in **Gian Singh Versus State of Punjab and others (2012) 10 SCC 303**, both the petitions are allowed and F.I.R. No.192 dated 05.08.2013 under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act, 1983, registered at Police Station Phase I, SAS Nagar Mohali (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners, namely, Nitam Pal

**CRM-M-9846-2017**

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Singh in CRM-M-9846-2017 and Gurnam Singh in CRM-M-25025-2017, on the basis of compromise dated 23.02.2017 (Annexure P-2).

**(HARI PAL VERMA)**  
**JUDGE**

11.09.2017  
sanjeev

Whether speaking/reasoned? Yes/No  
Whether reportable? Yes/No