

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

**Criminal Misc. No.M-13818 of 2018 (O&M)**  
**Date of decision : 17.07.2018**

Gurvinder Kumar Sachdeva and another

... Petitioners

Versus

State of Punjab and another

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI**

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Present: Mr. Pardeep Bajaj, Advocate  
for the petitioners.

Mr. Saurav Khurana, DAG, Punjab.

None for respondent No.2.

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**RAJ SHEKHAR ATTRI, J.(Oral)**

By invoking Section 482 Cr.P.C., the petitioners have prayed for quashing of FIR No.57 dated 30.07.2015, registered under Sections 420, 120-B IPC and Section 13 of the Human Smuggling Act 2012, at Police Station 'D' Division, Amritsar and proceedings emanating therefrom on the basis of affidavit with regard to compromise (Annexure P-2) arrived at between the parties.

In the present case, the FIR was registered on the statement of Narinder Pal Singh son of Balwinder Singh. Now, dispute between the parties has been resolved by way of affidavit with regard to compromise Annexure P-2.

Vide order dated 20.04.2018, the parties were directed to appear before the trial Court to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Judicial

Magistrate, 1<sup>st</sup> Class, (Duty), Amritsar wherein it has been reported that statements of the parties have been recorded and they have voluntarily compromised the matter without any coercion or undue influence.

Counsel for the State has not disputed that the parties i.e. petitioners and respondent No.2 have arrived at a settlement with an intent to give burial to their differences.

Perusal of allegations in the FIR reveals that the present case squarely falls in the category of cases that can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view authoritative enunciation of law laid down by Hon'ble the Supreme Court in 'Gian Singh v. State of Punjab and another', 2012 (4) R.C.R. (Criminal) 543 and in the light of facts and circumstances discussed hereinbefore, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that the same are put to an end.

For the foregoing reasons, the petition is allowed, FIR No.57 dated 30.07.2015, registered under Sections 420, 120-B IPC and Section 13 of the Human Smuggling Act 2012, at Police Station 'D' Division, Amritsar and proceedings emanating therefrom stand quashed qua the petitioners.

**( RAJ SHEKHAR ATTRI )**  
**JUDGE**

**17.07.2018**  
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Whether speaking/reasoned  
Whether reportable

Yes/No  
Yes/No