

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

CRM-M-40868-2017
Date of decision:12.07.2018

Sarabjeet Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Vivek Salathia, Advocate
for the petitioner.

Ms. Ruchi Sabherwal, AAG, Punjab
for respondent No.1.

Mr. Vivek Singla, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

The petitioner seeks quashing of FIR No.188 dated 05.08.2017 under Sections 420, 406 of the Indian Penal Code ('IPC' - for short) and Section 13 of Punjab Prevention of Human Smuggling Act, Police Station Chheharta, District Amritsar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 01.11.2017 the parties had been directed to

appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Judicial Magistrate Ist Class, Amritsar has been received wherein it has been reported that statements of the petitioner as well as of complainant-Gurdeep Singh had been recorded who have stated that they have compromised the matter and that the complainant has no objection if the FIR is quashed. It has specifically been reported by learned Judicial Magistrate Ist Class, Amritsar that in his opinion the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition stands allowed and FIR No.188 dated 05.08.2017 under Sections 420, 406 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, Police Station Chheharta, District Amritsar and all the consequent proceedings arising therefrom are hereby quashed.

(GURVINDER SINGH GILL)
JUDGE

12.07.2018
Gaurav Sorot

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