

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-43487 of 2017

Date of decision: 03.08.2018

Narinder Kumar @ Kala

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: None for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

SURINDER GUPTA, J.(Oral)

The petitioner has filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No. 178 dated 28.09.2017 (Annexure P-1), registered for offences punishable under Sections 420 of Indian Penal Code (for short 'IPC') and 24 of Emigration Act, at Police Station City Sunam, District Sangrur, along with all consequential proceedings arising therefrom, on the basis of the compromise (Annexure P-2).

As per case of the respondent no. 2-complainant, petitioner had cheated him of ₹1 lakh with the assurance that he will send him on work permit to Malaysia. He also arranged fake visa for respondent no. 2-complainant and sent him to Malaysia, from where he was deported.

Learned State counsel on instructions from ASI Sukhwinder Singh has not disputed compromise (Annexure P-2).

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent its report dated

05.01.2018 stating therein that the compromise has been effected between

the complainant and the accused which appears to be voluntary in nature and without any coercion, undue influence or fear.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

For the reasons as discussed above, the instant petition is allowed and the impugned FIR no. 178 dated 28.09.2017 (Annexure P-1) registered at Police Station City Sunam, District Sangrur along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

August 03, 2018

jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No