

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

207

**C.R.M-M No.10180 of 2019
Date of Decision : 27.05.2019**

Rajwinder Singh

..... Petitioner

Versus

State of Punjab and Another

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. S.K. Choudhary, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. D.A.G., Punjab.

Mr. G.S. Sandhu, Advocate
for Mr. K.S. Dhaliwal, Advocate
for respondent No.2.

AJAY TEWARI, J. (ORAL)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.129 dated 04.11.2018 registered under Sections 420, 406 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 and Section 24 of the Immigration Act at P.S. Division No.2, District Pathankot.

Counsel for the petitioner states that the draft could not be prepared in terms of the last order but the petitioner has got a sum of Rs.1,35,000/- (Rupees One Lakh Thirty Five Thousand Only) in cash which has been handed over to the respondent No.2 who is present in Court.

Counsel for the respondent No.2 has accepted that this is in full and final settlement about all the claims of respondent No.2 against the petitioner.

Learned Sr. Deputy Advocate General also states that he has no objection if this matter is settled.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C. It is, however, clarified that the petitioner would be entitled to file a petition for quashing of the present FIR on the basis of this compromise and the parties would not have to go through the rigmarole of having their statements recorded and the respondent No.2 would cooperate with the petitioner and that petition would be decided on the basis of today's compromise

Since the main case has been decided, the pending Criminal Misc. Application, if any, also stands disposed of.

May 27, 2019
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No