

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

**CRM-M-19286-2018
Date of decision:25.01.2019**

Payal Mahapatra

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. L.S. Lakhanapal, Advocate for
Mr. Aakash Kumar Gupta, Advocate
for the petitioner.

Mr. Rakeshinder Singh Sidhu, AAG, Punjab
for respondent No.1.

Mr. Vinod K. Sharma, Advocate
for respondent No.2.

GURVINDER SINGH GILL, J. (ORAL)

1. The petitioner seeks quashing of FIR No.6 dated 20.01.2018 under Sections 406, 420, 120-B of the Indian Penal Code, 1860 and 24 of the Immigration Act, Police Station Navi Baradari, Jalandhar, District Jalandhar and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 27.07.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.
3. Report of learned Judicial Magistrate Ist Class, Jalandhar has been received wherein it has been reported that statements of the petitioner as well as of complainant-Baljinder Singh have been recorded who have stated that they have compromised the matter with the intervention of the respectables and the compromise has been effected between him and Payal Mahapatra only and that complainant has no objection if the FIR is quashed. It has specifically been opined by learned Judicial Magistrate Ist Class, Jalandhar that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.
4. 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 is allowed and FIR No.6 dated 20.01.2018 under Sections 406, 420, 120-B of the Indian Penal Code, 1860 and 24 of the Immigration Act, Police Station Navi Baradari, Jalandhar, District Jalandhar and all the consequent proceedings arising therefrom are hereby quashed qua petitioner-Payal Mahapatra.

(GURVINDER SINGH GILL)
JUDGE

25.01.2019
Gaurav Sorot

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