

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

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CRM-M-44025-2018 (O & M)

DATE OF DECISION: 16.01.2019

Sherry Ratta @ Rana Bhupinder Singh

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Zorawar Singh Chauhan, Advocate
for the petitioner(s).

Mr. Amandeep S. Gill, Senior DAG, Punjab.

Mr. Shubham Tyagi, Advocate for
Mr. Ketan Antil, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking quashing of FIR No.128 dated 18.07.2018, under Section 420 IPC and Section 13(1) of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Division No.3, District Ludhiana (Annexure P-1), on the basis of compromise dated 10.08.2018 (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioners contends that FIR is an outcome of a monetary dispute between the parties and the matter has now been compromised. He has referred to the copy of compromise which is Annexure P-2. He further contends that the offence under Section 13 (1) of Punjab Prevention of Human Smuggling Act, 2012 is punishable with imprisonment upto three years.

Learned counsel appearing for respondent No.2 states that the matter has been compromised.

A Coordinate Bench of this Court by the order dated 05.10.2018 had directed the parties to appear before the Illaqa/Duty Magistrate to record the statements of the parties with regard to genuineness of the compromise and send a report to this Court. The report of Judicial Magistrate Ist Class, Ludhiana, dated 09.01.2019 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that the compromise is genuine and without any coercion or undue influence.

FIR is outcome of monetary dispute which has been compromised.

In view of the mandate of the Hon'ble Supreme Court in the case of *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.128 dated 18.07.2018, under Section 420 IPC and Section 13(1) of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Division No.3, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom, are hereby quashed qua the petitioner(s).

16.01.2019
A.Kaundal

(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No