

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

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**CRM-M-24406-2019
Date of Decision 13.03.2020**

LOVELY KUMAR

..... Petitioner

V/S

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Avtar Singh Sandhu, Addl. AG, Punjab.

Mr. Arjun Veer Sharma, Advocate for respondent No.2.

SUDIP AHLUWALIA J. (ORAL)

In this petition, the petitioner, who is the accused person in F.I.R No.198, dated 11.06.2018, under Sections 420 and 120-B of the Indian Penal Code, Sections 10 and 24 of Immigration Act, 1983 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Division No.5, District Ludhiana, has prayed for quashing of F.I.R. with all subsequent proceedings arising therefrom, on the basis of compromise.

2. Now the complainant has arrived at a settlement with the accused/petitioner vide Compromise Deed (Annexure P-3), which is duly signed by the parties. The matter was referred to the Court below for recording of statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. The Ld. Addl. Chief Judicial Magistrate, Ludhiana, vide report dated 06.07.2019 has apprised this Court that the compromise arrived at

between the parties is genuine and without any pressure.

3. Respondent No. 2 is represented by his counsel who does not dispute the factum of compromise.

4. In view of the report of the Ld. Addl. Chief Judicial Magistrate, Ludhiana, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/accused person.

5. In the circumstances, the present petition is allowed. F.I.R No.198, dated 11.06.2018, under Sections 420 and 120-B of the Indian Penal Code, Sections 10 and 24 of Immigration Act, 1983 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Division 5, District Ludhiana (Annexure P-1), with all consequential proceedings arising therefrom, are hereby quashed *qua* the petitioner.

(SUDIP AHLUWALIA)
JUDGE

13.03.2020
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Whether speaking/reasoned: Yes/No
Whether reportable : Yes/No