

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25345-2021 (O&M)
Date of Decision:- 17.11.2021

Amrik Singh

... Petitioner

Versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Pankaj Bali, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Arun Gupta, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking quashing of FIR No.193, dated 4.6.2020, Police Station Civil Lines, Karnal, under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 7.7.2021, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Karnal, has been received, wherein it has been reported that the statement of petitioner/accused Amrik Singh and also of complainant Anmol Deep

Singh have been recorded to the effect that they have compromised the matter amongst themselves. It has specifically been recorded that the compromise between the parties appears to have been entered into voluntarily, without any pressure or inducement.

4. Learned State counsel has informed that the petitioner stands involved in 19 other identical cases and that as such the petitioner does not deserve to be given any concession in the matter of quashing of the FIR, even on the basis of compromise.
5. Learned counsel for the petitioner has however, explained that the matter pertains to a group of persons who intended to go abroad but Visas could not be secured and that the members of the said group filed separate FIRs. It has been informed that majority of the said FIRs have been compromised and in at least 12 such cases petitions for quashing of FIRs have already been filed in this Court.
6. I have considered the aforesaid submissions.
7. The complainant Anmol Deep Singh in his statement had stated that he has no objection in case the FIR in question is quashed.
8. Having regard to the fact that the matter basically pertains to some kind of monetary transaction inasmuch as the petitioner could not secure Visa for the complainant and the same has been compromised between the parties, this Court is of the opinion that in view of 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the FIR in question can be quashed. As regards the contention of the State that there are other FIRs pending in the matter, it appears that all other FIRs are broadly pertaining to the

same transaction as it has been informed that it is a case where the petitioner was unable to arrange for Visa for a group of persons who intended to go abroad. The petition, as such, is allowed and FIR No.193, dated 4.6.2020, Police Station Civil Lines, Karnal, under Sections 406, 420, 120-B IPC and Section 24 of Immigration Act and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

17.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No