

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

Sr. No. 231

CRM-M No. 32026 of 2021

Date of decision : 11.10.2021

Rajkumar @ Raju

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Ashish Pannu, Advocate for the petitioner.

Mr. Rahul Mohan, DAG, Haryana.

Mr. Kuldeep Sheoran, Advocate for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 142 dated 12.08.2020 registered under Sections 406/420 IPC and Section 24 of Emigration Act 1986 (Sections 370/120-B IPC added later on) at Police Station Nigdhu, district Karnal on the basis of a compromise dated 20.07.2021 (Annexure P-2) entered into between the parties.

On 23.08.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 31.08.2021 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard

to the veracity of the compromise between the parties as also to apprise this Court whether P.O. proceedings are pending against any of the party.

As directed, report dated 15.09.2021 from the Addl. Sessions Judge, Karnal has been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them and that no proclamation proceedings are pending against the petitioner.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offences are compoundable and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and others, 2007 (3) RCR (Criminal) 1052***, this Court deems it just and proper to allow the petition and resultantly quash FIR No. 142 dated 12.08.2020 registered under Sections 406/420 IPC and Section 24 of Emigration Act 1986 (Sections 370/ 120-B IPC added later on) at Police Station Nigdhu, district Karnal and all proceedings arising therefrom qua the petitioner.

11.10.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No