

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

114

CRM-M-8599 of 2018

Date of Decision: 16.08.2021

Karam Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Tejinderpal Singh, Advocate, for the petitioners.
Mr. Sidakmeet Sandhu, AAG, Punjab.
Mr. Abhivady Sood, Advocate, for respondent no.2.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, quashing of FIR No.90, dated 21.11.2017, is sought, registered at Police Station Sherpur, Malerkotla, for the alleged commission of offences punishable under Sections 406 of the IPC, as also Section 24 of the Immigration Act, on the basis of a compromise arrived at between the petitioners and respondent no.2, i.e. the complainant.

Pursuant to the order of this court dated October 30, 2018, the report of the learned JMIC, Dhuri, dated 21.02.2019, is on record, in which it is stated that the complainant in the FIR, i.e. respondent no.2 Harjeet Singh, appeared before that court and deposed that the matter had been compromised by him with the accused persons, i.e. the petitioners Karam Singh, Manjit Kaur @ Murati, Jaswinder Singh, Jasvir Kaur and Kulwinder Singh and therefore he does not wish to pursue any litigation further.

Similar statements are also stated to have been recorded before that court by the petitioners.

The learned Magistrate has also stated that there are a total of five persons accused in the FIR, i.e. the petitioners; and that as per the opinion of that court the compromise arrived at between the parties is wholly voluntary and without any pressure.

A perusal of the FIR also shows that other than the five petitioners no other accused seem to have been mentioned there, with learned State counsel also submitting that the petitioners are the only accused in the FIR, (and that in any case being the report of the learned Magistrate also).

Upon query to learned State counsel, he submits that he has now received an affidavit executed by a gazetted officer, stating therein that there are no other criminal cases registered against the petitioners.

That being so, looking at the nature of the offences, without making any comment on the actual merits of the case, the petition is allowed and FIR No.90 dated 21.11.2017, registered at Police Station Sherpur, Malerkotla, District Sangrur, for the alleged commission of offences punishable under Sections 406 of the IPC, as also Section 24 of the Immigration Act, along with all proceedings emanating therefrom, is hereby quashed.

August 16, 2021
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No