

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

CRM-M-30241 of 2019

Date of Decision: 22.09.2021

Harmeet Singh and others

.... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. R.S.Bajaj, Advocate
 for the petitioners.

Mr. C.L.Panwar, DAG, Punjab.

Mr. Jitender Malik, Advocate
for respondent No.2-complainant.

SANT PARKASH, J.

*[The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual court]*

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.2 dated 10.01.2019, registered under Sections 406, 420 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at P.S.Begowal, District Kapurthala (Annexure P-1) and all subsequent proceedings arising therefrom in view of the compromise dated 12.06.2019 (Annexure P-2).

The allegation against the petitioners in the said FIR is that they committed fraud of Rs.20 Lakh on the pretext of sending the complainant-Gurwinder Kaur to abroad. Now, with the intervention of respectable persons, the matter has been amicably compromised between the parties and they have resolved their disputes and differences.

Keeping in view the fact that the parties have entered into a compromise, this Court vide orders dated 03.09.2019 had directed the

statements recorded in support of the compromise. In pursuance of the aforesaid orders, a report has been received from Sub Divisional Judicial Magistrate, Bholath, Kapurthala at Annexure-A stating therein that the compromise arrived at between the parties is without any pressure or coercion from any one and the same is genuine.

Learned State counsel and learned counsel appearing for the respondent No.2-complainant admit the factum of compromise and submit that they have no objection to the quashing of the FIR.

I have heard learned counsel for the parties and have gone through the record.

After considering the nature of offences allegedly committed and the fact that both the parties have amicably settled their dispute, continuance of criminal prosecution would be an exercise in futility, as the chances of ultimate conviction are bleak.

Consequently, keeping in view the fact that the dispute has been amicably settled between the parties and in view of the law laid down by the Hon'ble Supreme Court in *Narinder Singh and others vs. State of Punjab and another, (2014) 6 SCC 466*, this petition is allowed and FIR No.2 dated 10.01.2019, registered under Sections 406, 420 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at P.S.Begowal, District Kapurthala all subsequent proceedings arising out of the same are quashed qua the petitioners.

**(SANT PARKASH)
JUDGE**

22.09.2021
Maninder

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