

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

CRM-M-39444-2021 (O&M)

Date of Decision:- 29.11.2021

Palwinder Kaur and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Nisha Rana, Advocate, for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. Karandeep Singh, Advocate,
for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.65, dated 16.7.2021, Police Station Dhilwan, District Kapurthala, under Sections 420, 406 IPC and Section 13 of Punjab Prevention of Human Smuggling Act and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 22.9.2021, 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, Kapurthala, has been received, wherein it has been reported that the statements of petitioners/accused Palwinder Kaur, Harpreet Kaur, Harjinder Singh, Kanchan and also of complainant Raman Kumar Punj have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Raman Kumar Punj in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Kapurthala, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.65, dated 16.7.2021, Police Station Dhilwan, District Kapurthala, under Sections 420, 406 IPC and Section 13 of Punjab Prevention of Human Smuggling Act and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

29.11.2021

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No