

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

CRM-M-8392-2022
Date of Decision:-30.3.2022

PAVNEET KAUR

... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Ashish Aggarwal, Advocate
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

Mr. Kiranpreet Kaur, Advocate for
Mr. Nitin Gupta, Advocate
for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Present petition is for quashing of FIR No.114 dated 14.7.2021 registered under Section 420 IPC and under Section 13 of Punjab Prevention of Human Smuggling Act at Police Station City-1, District Sangrur on the basis of compromise dated 9.11.2021 (Annexure P-2) along with other consequential proceedings arising thereto.

The abovestated FIR in the present case was registered on the basis of the complaint lodged by respondent No.2-Vipin Kumar, in which he

alleged that the petitioner along with Harsh Garg and Karandeep Singh took ₹2.50 lacs from him on the pretext of sending him abroad and thereafter the said persons failed to fulfill their promise and also refused to return the amount.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate, Sangrur along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties

Learned counsel for the parties are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and

enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforesaid and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, this petition is allowed and FIR No.114 dated 14.7.2021 registered under Sections 420 IPC and under Section 13 of Punjab Prevention of Human Smuggling Act at Police Station City-1, District Sangrur on the basis of compromise dated 9.11.2021 (Annexure P-2) and all the subsequent proceedings thereof are hereby quashed qua the petitioner.

(**KARAMJIT SINGH**)
JUDGE

30.3.2022
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No