

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

CRM-9476-2022 in/and
CRM-M-10535-2021 (O&M)
Date of Decision:- 25.3.2022

Yashpal Kumar ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Tarun Yadav, Advocate for
Mr. Rishi Pal Singh, Advocate, for the petitioner.

Mr. Rajiv Sidhu, DAG, Haryana.

Mr. Neeraj Januha, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

CRM-9476-2022

In view of the reasons mentioned in the application, the same is allowed and the matter is preponed from 22.9.2022 and is taken on Board today itself.

CRM-M-10535-2021 (O&M)

1. The petitioner has approached this Court seeking quashing of FIR No.721, dated 31.12.2019, Police Station Pehowa, District Kurukshetra, under Sections 10, 24 of Immigration Act and Sections 406 and 420 IPC, and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Vide order dated 5.3.2021, the parties had been directed to appear before the Illaqa Magistrate/trial Court/Duty Magistrate so as to get their statements recorded qua the factum of compromise.
3. Report of learned Judicial Magistrate 1st Class, Pehowa, has been received, wherein it has been reported that the statements of petitioner/accused Yashpal Kumar and also of complainant Krishan Lal Mittal have been recorded to the effect that they have compromised the matter amongst themselves.
4. The complainant Krishan Lal Mittal 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, Pehowa, 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.721, dated 31.12.2019, Police Station Pehowa, District Kurukshetra, under Sections 10, 24 of Immigration Act and Sections 406 and 420 IPC and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

25.3.2022

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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No