

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

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CRM-M-24447-2021

Date of Decision:-21.09.2022

Kirandeep Kumar & anr.

.....Petitioner

Versus

State of Punjab & anr.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. G.S. Madaan, Advocate, for petitioner.

Mr. Ravinder Singh, AAG, Punjab.

Mr. Lalit Sharma, Advocate,
for respondent no.2.

JASJIT SINGH BEDI, J.(ORAL)

The prayer in this petition is for quashing of FIR No.91, dated 21.09.2020 (Annexure P-1) under Sections 406, 420 IPC and Section 24 of the Immigration Act and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Banga, District SBS Nagar, and all other consequential proceedings arising therefrom on the basis of compromise dated 29.04.2021 (Annexure P-2) arrived at between the petitioner and respondent no.2.

Vide order dated 24.09.2021, this Court had directed the parties to appear before Illaqa Magistrate for getting their statements recorded in terms of certain parameters given in the aforesaid order dated 24.09.2021 with regard to the compromise dated 29.04.2021 (Annexure P-2).

In terms of the order dated 24.09.2021 passed by this Court parties have appeared before the Court of learned Judicial Magistrate 1st

Class, Shaheed Bhagat Singh Nagar and as per his report dated 21.10.2021 submitted to this Court, both the parties have got recorded their respective statements in Court.

Perusal of the aforesaid report would show that the parties have effected a genuine compromise without there being any pressure, coercion or undue influence. In view of the compromise there is a remote possibility of the complainant coming forward to support the prosecution case. The powers under Section 482 Cr.PC can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in ***Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052*** and ***Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543.***

In view of the aforesaid report of the learned learned Judicial Magistrate 1st Class, Shaheed Bhagat Singh Nagar, accompanied by statements of both the parties, the FIR No.91, dated 21.09.2020 (Annexure P-1) under Sections 406, 420 IPC and Section 24 of the Immigration Act and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Banga, District SBS Nagar and all other consequential proceedings arising therefrom are hereby quashed, qua petitioners.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

21.09.2022
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<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>

