

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

Sr. No.118+225

**CRM No.3320 of 2022 in/and
CRM-M-25158 of 2019 (O&M)
Date of Decision: 18.02.2022**

Harpreet Singh @ Harpreet Singh Raike and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present: Mr. Hitesh Verma, Advocate for the applicant-petitioners.

Mr. A.K.Kaundal, DAG, Punjab.

Ms. Amrinder Kaur, Advocate for
Mr. Lovepreet Singh, Advocate for respondent No.2.

SANT PARKASH, J. (ORAL)

CRM No.3320 of 2022

Prayer in the instant application is for modification of head note and prayer clause of the main petition by substituting Section 13 of Punjab Prevention of Human Smuggling Act, 2012, in place of Section 3 of Punjab Prevention of Human Smuggling Act, 2012, on the ground that the said typing mistake has occurred inadvertently.

For the aforesaid reason, the instant application is allowed.

Accordingly, head note and prayer clause of the main petition is modified to the extend as prayed for.

Main case

The instant petition has been filed under Section 482 Cr.P.C. seeking quashing of FIR No.8 dated 06.02.2019, registered under Sections 420, 120 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at P.S. Barnala, District Barnala and all subsequent proceedings

arising therefrom, on the basis of compromise dated 10.04.2019 (Annexure P-3) arrived at between the parties.

In pursuance of the last order dated 07.01.2022, parties appeared before learned trial Court and got recorded their statements admitting the factum of compromise having been effected between the parties. Report of learned Additional Chief Judicial Magistrate, Barnala has been received in this regard and the same has been annexed at Flag 'A'.

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.8 dated 06.02.2019, registered under Sections 420, 120 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, at P.S.Barnala, District Barnala and all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SANT PARKASH)
JUDGE

18.02.2022
Maninder

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