

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

CRM-M No. 34442 of 2020

Date of Decision: 04.07.2022

Kulwinder Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Umesh Aggarwal, Advocate
for the petitioners.

Mr. Bhupender Beniwal, Assistant Advocate General, Punjab
for respondent No. 1 / State.

Mr. Chetan Bansal, Advocate
for respondent No. 2.

SURESHWAR THAKUR, J. (ORAL)

1. The learned counsel for respondent No. 2 has placed, in Court today, the vakalatnama, executed in his favour by him, which is taken on record.

2. Through the instant petition filed under Section 482 Cr.P.C., the petitioners are seeking quashing of FIR No. 150 of 31.12.2019 (Annexure P-1), constituting therein offences, under Sections 420 & 120-B of the IPC, and, under Section 24 of Emigration Act, registered at Police Station Daba, Ludhiana, and, also of all the subsequent proceedings arising therefrom, rather on the basis of compromise / affidavits (Annexures P-2 / P-3).

3. When the instant petition came up for hearing on 29.10.2020, this Court made a direction upon the Illaqa Magistrate

concerned, to make a report with respect to the genuineness of the compromise / affidavit, but after recording the statements of the parties concerned.

4. The afore order makes it apparent that the petitioners had depended, upon, a compromise/settlement, arrived at, in respect of the FIR (supra) with the complainant-respondent No. 2.

5. The afore made order by this Court on 29.10.2020, has been complied with by the learned Illaqa Magistrate concerned, and, the elicited report has been placed on record. A perusal of the report, transmitted to this Court, by the learned Magistrate concerned, reveals that the settlement / compromise, arrived at *inter se* the petitioners, and, respondent No. 2, is a sequel of both, being *ad idem qua* it, besides the compromise / settlement being a sequel of no pressure or coercion, being exercised upon each other. Therefore, the learned Magistrate has reported, that the settlement / compromise, as, depended upon by the petitioners, for seeking the quashing of the FIR (supra), is both voluntary, and, genuine.

6. The learned counsels for the parties do also state at the Bar, that all the concerned have signed the compromise deed.

7. Since, the offences carried in the FIR (supra), are compoundable, and, also when a valid compromise has been entered into, *inter se*, the accused-petitioners, and, respondent No. 2 – complainant, besides when the learned State Counsel has stated that the

challan has not been filed. Therefore, this Court deems it fit to allow

the present petition.

8. Consequently, the present petition is allowed, and, the FIR (supra), and, also all subsequent proceedings, as, arise therefrom, are quashed *qua* the petitioners.

July 04, 2022

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**(SURESHWAR THAKUR)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>