

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-42263-2021

DATE OF DECISION: 10.01.2022

SARABJIT SINGH AND OTHERS

... Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Ravi Malhotra, Advocate
for the petitioners.

Mrs.Amarjit Kaur Khurana, DAG, Punjab.

Mr.Ashish Bakshi, Advocate for
Mr. Vipin Kumar, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.033 dated 05.02.2019, under Sections 406/420 IPC and Section 24 of the Immigration Act, 1983, registered at Police Station Model Town, District Hoshiarpur along with all subsequent proceedings on the basis of compromise dated 11.09.2021 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the FIR is an outcome of a monetary dispute which has been settled and the matter has been compromised. Copy of the compromise is at Annexure P-2.

Learned counsel appearing on behalf of the complainant/respondent No.2 and states that the matter has indeed been compromised.

This Court, vide order dated 07.10.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements

and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of Chief Judicial Magistrate, Hoshiarpur dated 07.01.2022 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is an outcome of a monetary dispute which has been settled and the matter has been compromised.

In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.033 dated 05.02.2019, under Sections 406/420 IPC and Section 24 of the Immigration Act, 1983, registered at Police Station Model Town, District Hoshiarpur and all consequential proceedings are hereby quashed qua the petitioners.

(ANUPINDER SINGH GREWAL)
JUDGE

10.01.2022

SwarnjitS

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