
CRM-M-37740-2019

Date of decision 23.05.2022

PARAMPAL SINGH AND ANOTHER

....Petitioners

Versus

STATE OF PUNJAB AND OTHERS

....Respondents

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Bhupinder Ghai, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Mohit Kakar, Advocate
for respondents No. 2 to 4.**KARAMJIT SINGH, J (Oral):**

Present petition is for quashing of FIR No. 173 dated 01.08.2019 registered under Sections 406, 420, 120-B, 465, 467, 468, 471 of IPC, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act 2012 at Police Station Phase-1 District SAS Nagar, (Annexure P-2) on the basis of compromise dated 06.08.2019 (Annexure P-1) along with other consequential proceedings arising thereto.

Learned counsel for respondents No. 2 to 4 has no objection, if FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of Chief Judicial Magistrate SAS Nagar Mohali along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties

Learned counsel for the parties are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, this petition is allowed and FIR No. 173 dated 01.08.2019 registered under Sections 406, 420, 120-B, 465, 467, 468, 471 of IPC, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act 2012 at Police Station Phase-1 District on the basis of

compromise dated 06.08.2019(Annexure P-1) and all the subsequent proceedings thereof are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

23.05.2022
Monika

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| 1. Whether speaking/ reasoned | : | Yes /No |
| 2. Whether reportable | : | Yes /No |