

**276-2 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CRM-M-3002-2020 (O&M)****DATE OF DECISION: 02.08.2023****Harpreet Singh****...Petitioner****Versus****State of Punjab and another****...Respondents****CORAM : HON'BLE MR. JUSTICE ARUN MONGA**

Present : Ms. Lavanya Gupta, Advocate
for the petitioner.

Mr. Mohit Thakur, AAG, Punjab.

Mr. Gaurav Rana, Advocate,
for respondent No.2.

ARUN MONGA, J. (ORAL)

Petitioner seek quashing of FIR No.247 dated 18.07.2018 (Annexure P-1) registered under Sections 406, 420, 120-B of IPC, 1860, Sections 10 and 24 of Emigration Act, 1983 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, at Police Station Division 5, District Ludhiana on the basis of compromise dated 28.03.2019(Annexure P-2), stated to have been arrived between the parties.

2. Since quashing was sought on the basis of compromise, this Court on 23.01.2020 had directed the parties to appear before the *Illaga* Magistrate/trial Court for recording their statements in support of the compromise. A veracity report was also called for.

3. Report dated 29.02.2020 of learned Additional Chief Judicial Magistrate, Ludhiana had been received. Report reveals that statements of complainant party i.e. respondent No.2 as also of accused/present petitioners herein, were duly recorded. It is opined that a compromise has been arrived at without any pressure, undue influence or coercion. The report is accompanied by the statements of parties. It is apparent that the complainant/respondent No.2

and accused/petitioners have arrived at a compromise voluntarily and without any coercion.

4. Learned counsel for complainant/respondent No.2 states that he would have no objection to the quashing of FIR in question.

5. This Court in appropriate cases can exercise the power under Section 482 Cr.P.C. for quashing of criminal proceedings/FIR on the basis of compromise. A reference in this regard may be made to a decision dated 29.09.2021 of the Supreme Court in case titled *Ramgopal and anr. V. The State of Madhya Pradesh*¹ and a Full Bench decision of this Court in *Kulwinder Singh and others V. State of Punjab and others*².

6. In the premise it is an appropriate case for exercise of power under Section 482 Cr.P.C. and to bring to an end the criminal proceedings initiated in the light of impugned FIR.

7. Petition is thus allowed. FIR No.247 dated 18.07.2018 (Annexure P-1) registered under Sections 406, 420, 120-B of IPC, 1860, Sections 10 and 24 of Emigration Act, 1983 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, at Police Station Division 5, District Ludhiana and all proceedings emanating there from *qua* the petitioners stand quashed.

8. Pending application(s), if any, shall also stand disposed of.

02.08. 2023

Jyoti Thakur

(ARUN MONGA)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

¹Criminal Appeal No.1489 of 2012

JYOTI THAKUR ²2007 (3) RCR (Criminal) 1052
2023.08.03 18:19
I attest to the accuracy and
integrity of this order/judgement