

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

Sr. No.252**CRM-M-9707-2023****Date of Decision: 10.05.2023**

BALWINDER SINGH AND ANOTHER

.... Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present: Mr. Manpreet Singh Bhatti, Advocate
for the petitioners.

Mr. G. S. Shergill, AAG, Punjab.

Mr. Simranjeet Singh Sarwara, Advocate
for respondent No.2.

DEEPAK GUPTA, J. (ORAL)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.224 dated 15.09.2019 registered under Sections 420 and 120 IPC and (Section 13 of Punjab Prevention of Human Smuggling Act, 2012) at Police Station Sultanpur Lodhi, District Kapurthala, Punjab and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2).

This Court vide order dated 23.02.2023 had directed the parties to appear before the trial Court/Illaq Magistrate to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Sub Divisional Judicial Magistrate and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated

09.03.2023 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. No.224 dated 15.09.2019 registered under Sections 420 and 120 IPC and (Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police) Station Sultanpur Lodhi, District Kapurthala, Punjab and all subsequent proceedings arising therefrom on the basis of compromise (Annexure P-2), are quashed qua the petitioners.

(DEEPAK GUPTA)
JUDGE

10.05.2023

M.Sikka

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