

2023:PHHC:074621

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 256

CRM-M-16542-2023

Date of decision : 22.05.2023

Balwinder Kaur

..... Petitioner

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms.Gagandeep Kaur, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

Mr.A.S.Khaira, Advocate, for respondent No.4.

DEEPAK SIBAL, J. (ORAL)

(1) The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.53 dated 26.03.2020 registered under Sections 420, 120-B IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Kathu Nangal, District Amritsar Rural and all proceedings arising therefrom qua the petitioner on the basis of a compromise dated 02.12.2022 (Annexure P-2) entered into between the parties.

(2) On 10.04.2023 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties as also to apprise this Court whether all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

(3) As directed, report dated 10.05.2023 from the Judicial Magistrate Ist Class, Amritsar has been received as per which the parties had recorded their statements before the trial court in terms of the compromise arrived at between them; the same is genuine; the petitioner/accused is party to the compromise; she has not been declared a proclaimed offender and that she is not involved in any other case.

(4) Learned State counsel has no objection if the present petition is allowed.

(5) In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous as also the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Supreme Court in *State of Madhya Pradesh vs. Laxmi Narayan and others* (2019) 5 SCC 688, this Court deems it just and proper to allow the petition and resultantly quash FIR No.53 dated 26.03.2020 registered under Sections 420, 120-B IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Kathu Nangal, District Amritsar Rural and all proceedings arising therefrom qua the petitioner.

22.05.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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