

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

297

CRM-M-19567-2021

Date of decision:24.05.2023

JASVIR SINGH AND OTHERS

...PETITIONER(S)

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. K.S. Rupal, Advocate
for the petitioners.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

Mr. Pavit, Advocate
for respondent No.2.

GURBIR SINGH, J. (ORAL)

This is a petition filed under Section 482 Cr.P.C. for quashing of FIR No.07, dated 02.01.2021, under Sections, 420 and 120-B of IPC and Section 24 of Immigration Act, registered at Police Station Division No.8, Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom, on the basis of compromise dated 05.01.2021 (Annexure P-4), effected between the parties.

Learned counsel for the parties have stated that the present FIR may be quashed as the parties have amicably settled the dispute.

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

In compliance thereof, report dated 05.11.2021 from the Judicial Magistrate Ist Class, Ludhiana has been received through the District & Sessions Judge, Ludhiana, with statements of the parties, in which, it has been mentioned that the compromise is genuine, valid and without any coercion or undue influence.

The powers under Section 482 Cr.P.C. can be exercised in such like situation in order to prevent unnecessary vagaries of criminal trial to be faced by the parties, when there are remote chances of conviction of the accused. The compromise in question is found to be fully in consonance with the direction issued by the Court in “Kulwinder Singh and others vs. State of Punjab and another”, 2007(3) RCR (Criminal) 1052 and “Gian Singh vs. State of Punjab and another”, 2012 (4) RCR (Criminal) 543.

In view of the aforesaid report of the Judicial Magistrate Ist Class, Ludhiana accompanied by statement of both the parties, the instant petition is allowed. Consequently, the impugned FIR No.07, dated 02.01.2021, under Sections, 420 and 120-B of IPC and Section 24 of Immigration Act, registered at Police Station Division No.8, Ludhiana (Annexure P-1) and all consequential proceedings arising therefrom are hereby quashed, on the basis of compromise dated 05.01.2021 (Annexure P-4), *qua* the petitioners only.

(GURBIR SINGH)
JUDGE

24.05.2023
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No