

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

CRM-M No.18630 of 2023
Date of decision: 6th July, 2023

Jaspal Singh @ Jaswant Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Prince Sharma, Advocate for the petitioner.

Mr. Vinay K. Gupta, Asst. Advocate General, Punjab
for respondent No.1/State.

Mr. Shivam Kamboj, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing FIR No.17 dated 04.03.2003 (Annexure P-1) under Sections 420, 406, 120-B IPC and Section 24 of the Immigration Act, 1983 registered at Police Station Kotwali, District Kapurthala along with all consequential proceedings arising therefrom on the basis of compromise dated 28.03.2023 (Annexure P-2) effected between the parties.

2. Vide order dated 17.04.2023 of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate on 15.05.2023 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Kapurthala, in pursuance of the direction of this

Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioner is quashed.

4. The trial Court has annexed a copy of the statements of the parties, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Kapurthala and the principles laid down by the Apex Court in '**Gian Singh Vs. State of Punjab and others**' (2012) 10 SCC 303, and also by the Full Bench of this Court in '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal) 1052, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

7. Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

July 6, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No