

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

Neutral Citation No. 2023:PHHC:050411

CRM-M-20423-2022

Date of Decision: April 12, 2023

Ram Singh and another

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Digvijay Lamba, Advocate for
Mr. Vikram Singh, Advocate for the petitioners.
Mr. Parveen Kumar Aggarwal, DAG, Haryana.
Mr. Sukhdev Singh, Advocate for respondent No.2.

DEEPAK GUPTA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.668, dated 15.08.2021, registered at Police Station Karnal City, District Karnal, under Section 24 of the Immigration Act (Annexure P-1) along with all the subsequent proceedings arising therefrom on the basis of compromise dated 11.03.2022 (Annexure P-2) effected with complainant-respondent No.2 Kavita Devi..

In compliance of the order dated 07.02.2023, report from learned Addl. Chief Judicial Magistrate, Karnal regarding recording of the statements of the parties have been received. Both the petitioners as well as complainant had made statement regarding the compromise to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence, but it is reported by the Trial Court that one more accused, namely, Ankush was yet to be arrested.

The report appears to be contrary to the affidavit of Shri Manoj Kumar, DSP, Gharaunda, District Karnal, which was filed as a reply on behalf of respondent No.1, as per which challan was filed only

against the petitioners.

Respondent No.2, namely Kavita had made her statement with regard to compromise before learned Magistrate on 27.02.2023.

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 complaint 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 FIR No.668, dated 15.08.2021, registered at Police Station Karnal City, District Karnal, under Section 24 of the Immigration Act (Annexure P-1) along with all the subsequent proceedings arising therefrom on the basis of compromise dated 11.03.2022 (Annexure P-2) effected with complainant-respondent No.2 Kavita Devi, are hereby quashed.

April 12, 2023

sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No

Whether reportable: Yes/No