

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

267

CRM-M-22999-2023
Date of Decision:14.09.2023

Ankur TyagiPetitioner
Vs.
State of Punjab & OthersRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Lakshay Bector, Advocate
for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Kunal Jain, Advocate for
Ms. Taanvi Dhull, Advocate for
respondent Nos.2 & 3.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.44 dated 08.03.2023 registered under Section 420 of the IPC, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Khanna City-2, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 21.03.2023 (Annexure P-2).

This Court vide order dated 08.05.2023 had directed the parties to appear before the trial Court 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 02.08.2023 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 Nos.2 & 3 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.44 dated 08.03.2023 registered under Section 420 of the IPC, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Khanna City-2, District Ludhiana and all subsequent proceedings arising therefrom on the basis of compromise dated 21.03.2023 (Annexure P-2), are quashed qua the petitioner.

(DEEPAK GUPTA)
JUDGE

September 14, 2023
Neetika Tuteja

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No