

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

243

CRM-M-27738 of 2019

Date of Decision: 24.01.2023

Iqbal Rai and another

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Arti Kaur, Advocate for
Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Abhishek Bhargava, Advocate for
Ms. Ruhani Chadha, Advocate for
respondent No.2.

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.107 dated 02.09.2018 registered under Sections 420, 120-B of the IPC, 1860 and Section 24 of the Immigration Act, 1983 registered at Police Station Jalandhar Cantt, Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise dated 01.05.2019 as (Annexure P-2).

This Court vide order dated 28.08.2019 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 Judicial Magistrate Ist Class, Jalandhar and got their statements recorded. On the basis of the statements so recorded,

learned Magistrate has submitted report dated 19.10.2019 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 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 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.107 dated 02.09.2018 registered under Sections 420, 120-B of the IPC, 1860 and Section 24 of the Immigration Act, 1983 registered at Police Station Jalandhar Cantt, Jalandhar and all subsequent proceedings arising therefrom on the basis of compromise dated 01.05.2019 as (Annexure P-2), are quashed.

January 24, 2023

Neetika Tuteja

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No