

2023:PHHC:122231

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

**CRM-M-43002-2021
Date of Decision:15.09.2023**

Talbinder Singh and Anr.

...Petitioners

vs.

State of Punjab and Anr.

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr. Gursimranjit Singh, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 361 dated 03.11.2019 under Sections 420,120-B of IPC and Section 24 of Immigration Act and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Division No.8, Police Commissionerate Ludhiana District Ludhiana (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 24.01.2020 (Annexure P-2).

2. Vide order dated 15.05.2023, a Co-ordinate Bench of this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 24.01.2020 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Ludhiana and got their statements recorded. Report dated 27.07.2023 has been received whereby after recording the statements of the parties, the Court

below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioners.

6. Resultantly, FIR No. 361 dated 03.11.2019 under Sections 420,120-B of IPC and Section 24 of Immigration Act and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Division No.8, Police Commissionerate Ludhiana District Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioners.

15.09.2023
hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No