

2023:PHHC:145950

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

**CRM-M-38224-2023 (O&M)
Date of Decision:16.11.2023**

Kiranprit Arora and Anr.

...Petitioners

vs.

State of Punjab and Anr.

...Respondents

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

Present : Mrs. Neeraj Chandel, Advocate
for the petitioners.

Mr. Mohit Chaudhary, AAG, Punjab.

Ms. Kiranpreet, Advocate for
Mr. Amit Chopra, Advocate
for respondent No.2.

N.S.Shekhawat J. (Oral)

1. The instant petition has been filed under Section 482 Cr.P.C. for quashing of an FIR No. 148 dated 05.11.2018 under Sections 420,120-B of IPC, Section 24 of Immigration Act, Section 13 Prevention of Human Smuggling Act,2012 registered at Police Station Tibba, District Police Commissionerate, Ludhiana (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise (Annexure P-2).

2. Vide order dated 07.08.2023, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the JMIC, Ludhiana and got their statements recorded. Report dated 19.09.2023 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 petitioner.

6. Resultantly, FIR No. 148 dated 05.11.2018 under Sections 420,120-B of IPC, Section 24 of Immigration Act, Section 13 Prevention of Human Smuggling Act,2012 registered at Police Station Tibba, District Police Commissionerate, Ludhiana (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

7. All other pending application, if any, also stands disposed off.

(N.S.SHEKHAWAT)
JUDGE

16.11.2023
hitesh

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