

CRM-M-790-2021

2023:PHHC:073455
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203 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-790-2021
DATE OF DECISION:-17.05.2023

Gurmit Singh

...Petitioner.

Vs.

State of Punjab and others

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: None for the petitioner.

Mr. Kunal Vinayak, AAG, Punjab.

Mr. Kuldeep Singh, Advocate,
for respondent No.3.

HARKESH MANUJA, J.

1. By way of present petition filed under Section 482 Cr.P.C., prayer has been made for seeking quashing of FIR No.54, dated 03.05.2019, under Sections 406, 420, 120-B IPC, Section 12 of the Passport Act, 1967, Section 24 of the Immigration Act and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Cantt, Jalandhar along with all subsequent proceedings arising therefrom as well as summoning order dated 12.10.2020 passed by the trial court.

2. Short reply by way of affidavit of Mr. Harshpreet Singh, Assistant Commissioner of Police, Sub-Div V Cantonment, Jalandhar on behalf of respondent-State filed in Court today is taken on record.

3. During pendency of the present petition, the parties have settled their differences and the parties even appeared before the trial court and got their statements recorded and a report in this regard has already been

received in CRM-M-11354-2023 as regards the veracity of the settlement arrived at between the parties.

4. Once the parties have entered into settlement and son of the complainant (since deceased) is not going to support the prosecution, no useful purpose is going to be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of Punjab 2007(3) RCR (Criminal) 1052* and *Gian Singh Vs. State of Punjab & Anr., 2012(4) RCR (Crl.) 543*.

5. Thus, in view of the aforesaid as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.54, dated 03.05.2019, under Sections 406, 420, 120-B IPC, Section 12 of the Passport Act, 1967, Section 24 of the Immigration Act and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Cantt, Jalandhar as well as summoning order dated 12.10.2020 along with all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

6. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited with the Punjab Legal Services Authority within a period of two weeks from today.

17.05.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No