

CRM-M No.46424 of 2023

2023:PHHC:154965

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

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**CRM-M No.46424 of 2023
Date of Decision: 05.12.2023**

SANJEEV SHARMA**.....Petitioner****Vs****STATE OF HARYANA AND ANOTHER****....Respondents****CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA**

Present: Mr. Munish Dev Sharma, Advocate
for the petitioner.

Mr. Viney Phogat, D.A.G., Haryana.

HARKESH MANUJA, J. (Oral)

1. By way of present petition under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.0966 dated 12.06.2023 registered under Section 24 of the Immigration Act and Sections 406, 420 IPC at Police Station Civil Lines Karnal, District Karnal (Haryana) (Annexure P-1) along with all consequential proceedings arising therefrom on the basis of compromise dated 11.07.2023 (Annexure P-2).

2. Notice of motion was issued on 15.09.2023 and both the parties were directed to appear before the Trial Court/Illaq Magistrate on 03.10.2023 for recording their statements with regard to the validity of compromise. However, nobody turned up to get their statements recorded on the date fixed. On 20.10.2023, the parties were again directed to appear before the Trial Court/Illaq Magistrate on or before 15.11.2023 for getting their statements recorded, subject to

depositing cost of Rs.2500/- with Poor Patients Welfare Fund of PGIMER, Sector 12, Chandigarh.

3. In pursuance of the aforesaid order dated 20.10.2023 passed by this Court, whereby the parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 04.12.2023 has been received from the concerned court, stating that compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioner; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would 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.

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0966 dated 12.06.2023 registered under Section 24 of the Immigration Act and Sections 406, 420 IPC at Police Station Civil Lines Karnal, District Karnal (Haryana) (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of cost(s) of Rs.5,000/- to be deposited by the petitioner with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

December 05, 2023	(HARKESH MANUJA)
<i>Atik</i>	JUDGE
Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No