

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-7474-2024

Date of Decision:07.03.2024

Jagir Singh @ Sukhwinder Singh @ Sukha ...Petitioner
Versus
State of Punjab and others ... Respondents

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Raghav Soni, Advocate, for the petitioner.
Mr. M.S. Bajwa, DAG, Punjab.
Mr. M.S. Toor, Advocate for
Mr. Vikas Gupta, Advocate, for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No. 49 dated 18.08.2023 registered under Sections 420 and 406 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Talwandi District Chaudhrian (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise dated 25.01.2024 (Annexure P-2) arrived between the parties.
2. Vide order dated 13.02.2024, 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 25.01.2024 (Annexure P-2).
3. Pursuant to aforesaid order, the parties have appeared before the Judicial Magistrate First Class, Sultanpur Lodhi and got

their statements recorded. Report dated 04.03.2024 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. 49 dated 18.08.2023 registered under Sections 420 and 406 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Talwandi District Chaudhrian (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

07.03.2024amit rana(N.S.SHEKHAWAT)JUDGE

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