

275 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-11394-2024
DATE OF DECISION:-30.04.2024

Surinder Kaur ...Petitioner..

vs.

State of Punjab and another ...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Usha Rani, Advocate for
Ms. Bandana Dogra, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

Ms. Sonia Arora, Advocate for
Mr. Waqar Khurshid, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., petitioner prays for quashing of FIR No.249 dated 01.09.2023, registered under Section 406 and 420 IPC and Section 24 of Immigration Act, 1983, at Police Station Tanda, District Hoshiarpur (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise dated 22.02.2024 (Annexure P-2).
2. As per the allegations, the petitioner cheated the complainant on the pretext of sending his son to Dubai.
3. In pursuance of order dated 04.03.2024 passed by this Court, whereby parties were directed to appear before the Trial Court for getting their statements recorded as regards the veracity of compromise arrived at

between them, report dated 20.04.2024 has been received from the concerned Court, stating that compromise has been reached amicably between the parties with the intervention of respectables of locality voluntarily without any coercion or undue influence. No accused has been declared as proclaimed person.

4. 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 petitioner. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the 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. Moreover, learned counsel for the petitioner on instructions from her client, submit that she volunteers to deposit a sum of Rs.5,000/- with Nishkam Sewa Group (For Charitable Work) run by Punjab & Haryana

High Court Lawyers at Chandigarh.

7. Thus, in view of the aforesaid facts, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, FIR No.249 dated 01.09.2023, registered under Section 406 and 420 IPC and Section 24 of Immigration Act, 1983, at Police Station Tanda, District Hoshiarpur as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

8. Accordingly, petition stands allowed subject to payment of costs of Rs.5,000/- to be deposited by the petitioner with Nishkam Sewa Group (For Charitable Work) run by Punjab & Haryana High Court Lawyers at Chandigarh, within a period of two weeks from today from the date of receipt of certified copy of this order.

30.04.2024

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(HARKESH MANUJA)
JUDGE

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