

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

265 CRM-M-11985-2023 (O&M)
Date of Decision:04.04.2024

PARVEET KATHURIAPetitioner

Vs.

STATE OF PUNJAB AND ANOTHERRespondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- None for the petitioner.
Mr. Amandeep Singh, DAG, Punjab.
None for respondent No.2

DEEPAK GUPTA, J.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.65 dated 01.04.2018 under Section 420 of IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Civil Lines, Patiala, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise dated 22.09.2022 (Annexure P-2).

This Court vide order dated 29.02.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before Judicial Magistrate Ist Class, Patiala and got their statements recorded. On the basis of the statements so recorded, Learned Magistrate has submitted report dated 21.03.2024 to the effect that the compromise has been effected

between the parties voluntarily and without any coercion or undue influence.

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.65 dated 01.04.2018 under Section 420 of IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Civil Lines, Patiala, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise dated 22.09.2022 (Annexure P-2) are quashed qua the petitioner.

(DEEPAK GUPTA)

JUDGE

04.04.2024

pry

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No