



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

CRM-M No.13533 of 2023 (O&M)

Date of decision: 3rd October, 2024

Harpartap Singh @ Partap Singh

... Petitioner

Versus

State of Punjab & another

... Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ranjeet K. Jaswal, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

Ms. Anu Malika Sandhu, Advocate for
Mr. Gaurav Verma, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

CRM No.33552 of 2024

In view of the averments made in the application and in the
interest of justice, the same is allowed and the date of hearing in the
main case is advanced from 14.01.2025 for today.

CRM-M No.13533 of 2023

1. The instant petition has been filed under Section 482 Cr.P.C.
for quashing FIR No.185 dated 03.11.2018 (Annexure P-1) under
Section 420 IPC and Section 13 of the Punjab Prevention of Human
Smuggling Act, 2012 pertaining to Police Station Samana, District
Patiala along with all consequential proceedings arising therefrom on the

basis of compromise/affidavit dated 01.04.2024 (Annexure A-1) effected between the parties.

2. Vide order dated 23.04.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate, 1st Class, Samana, in pursuance of the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR qua the accused-petitioner is quashed.

4. The trial Court has annexed the statements of the parties in original, along with its report.

5. Learned State counsel too submits that there are no other accused other than the petitioner and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate, 1st Class, Samana and the principles laid down by Hon'ble the Apex Court in '**Gian Singh Vs. State of Punjab and others**' (2012) 10 SCC 303, and also by the Full Bench of this Court in '**Kulwinder Singh and others v. State of Punjab and another**' 2007 (3) RCR (Criminal)

1052, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it qua the petitioner, are quashed.

7. Needless to say, the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

October 3, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No