



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

CRM-M-25562-2024
Date of decision:07.11.2024

KULBIR SINGH ALIAS SONI AND OTHERS

...Petitioners

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Sarbjit Singh, Advocate for the petitioners.

Mr. Ajaib Singh, Addl. AG, Punjab.

Mr. G.S. Thind, Advocate for respondents No.2 to 5.

KARAMJIT SINGH, J. (Oral)

1. Prayer in this petition is for quashing of FIR No.86 dated 14.10.2018 under Sections 420/120-B of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Mehta, District Amritsar Rural as well as P.O. order dated 24.11.2023 (Annexure P-7) passed by SDJM, Baba Bakala Sahib on the basis of compromise dated 23.08.2023 and affidavits dated 12.02.2024 (Annexures P-2 to P-4) respectively.
2. Short reply by way of an affidavit of Ravinder Singh, PPS, Deputy Superintendent of Police, Sub-division Jandiala, Amritsar (Rural) filed on behalf of respondent No.1-State is taken on record.
3. The above stated FIR was registered on the statement of the complainant/respondent No.2-Hardeep Singh against the petitioners.



4. On notice of motion, respondents No.2 to 5 appeared in the Court through their counsel and pleaded that they have no objection if the FIR in this case is quashed on the basis of the aforesaid compromise which has been effected between the parties.

5. During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

6. In compliance thereof, report from the Court of Sub Divisional Judicial Magistrate, Baba Bakala Sahib along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

7. I have heard learned counsel for the parties.

8. Learned counsel for the petitioners and for respondents No.2 to 5 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

9. In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

10. For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and**



another, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another** 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.86 dated 14.10.2018 under Sections 420/120-B of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012 at Police Station Mehta, District Amritsar Rural and all the subsequent proceedings are hereby quashed qua the present petitioners.

07.11.2024
Priyanka Thakur

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No