

CRM-M-32367-2023

2024:PHHC:029170
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274 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32367-2023
DATE OF DECISION:-29.02.2024

Harkiran Kaur

...Petitioner..

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Satvinder Singh, Advocate for
Ms. Jasneet Mehra, Advocate,
for the petitioner.

Mr. Siddharth Sandhu, AAG, Punjab.

Mr. Saurabh Singla, Advocate,
for respondent No.2.

HARKESH MANUJA, J. (Oral)

1. By way of present petition filed under Section 482 Cr.P.C., the petitioner prays for quashing of FIR No.53, dated 21.03.2023, registered under Sections 406, 420 IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, at Police Station City Phagwara, District Kapurthala (Annexure P-1) and all other subsequent proceedings arising therefrom on the basis of compromise deed dated 07.06.2023 (Annexure P-2).

2. As per the allegations levelled in the FIR, the petitioner cheated the complainant on the pretext of sending him abroad besides it, she also threatened to kill him.

3. In pursuance of orders dated 19.10.2023 and 23.01.2024 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, a report dated 07.02.2024 has been received from the concerned Court, stating that the compromise effected between the parties is genuine, without any pressure 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. 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

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aforementioned judgments, FIR No.53, dated 21.03.2023, registered under Sections 406, 420 IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, at Police Station City Phagwara, District Kapurthala as well as all subsequent proceedings arising therefrom are hereby quashed qua the petitioner.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.10,000/- to be deposited by the petitioner with the Poor Patient Welfare Fund, PGIMER, Chandigarh within a period of two weeks from the date of receipt of certified copy of this order.

29.02.2024
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(HARKESH MANUJA)
JUDGE

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