

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41821-2022

Date of decision: 08.04.2024

ANGREJ SINGH

.....PETITIONER

Versus

STATE OF PUNJAB AND ANOTHER

.....RESPONDENTS

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ashish Nagar, Advocate
for the petitioner.

Mr. Iqbal Singh, AAG, Punjab.

Mr. Shubham, Advocate
for complainant-respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.126, dated 04.10.2020, lodged under Sections 406 and 420 of the Indian Penal Code, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 and Section 24 of Immigration Act registered at Police Station Rahon, District SBS Nagar and all consequential proceedings arising out of the same, on the basis of compromise affidavit (Annexure P-2) arrived at, between the parties.
2. Vide order dated 13.09.2022 passed by a Co-ordinate Bench of this Court, the parties were directed to appear before the learned trial Court/Illaq Magistrate to get their statements recorded regarding the compromise arrived at, between them.
3. Report has since been received from learned Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, in pursuance of the directions 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 she would have no objection if the FIR *qua* the accused-petitioner is quashed.

4. On a pointed query put to the learned counsel for the petitioner, as to how his role was distinguishable from that of the other 03 accused named in the FIR with whom no compromise had been effected by the complainant, learned counsel for the petitioner has submitted that a perusal of the allegations levelled in the FIR clearly reveal that entire amount had been given to co-accused Satnam Singh by the complainant on an undertaking given that his son would be sent to Greece; not even a single penny was either handed over to the petitioner nor any money transferred in his bank account. The petitioner had been implicated in the instant case only on the ground that he had accompanied the co-accused Satnam Singh, when the complainant was lured into parting with Rs.6,00,000/-.

5. The Trial Court has annexed the statements of the parties in original, alongwith its report.

6. In view of the report of the learned Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar and the principles laid down by 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 Vs. 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, are quashed qua petitioner only.

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

08.04.2024

Aman Dua

(MANJARI NEHRU KAUL)
JUDGE

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