

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-44701-2023 (O&M)
Date of Decision:- 09.04.2024

Vikram Setia ... Petitioner

Versus

State of Haryana and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rahul Deswal, Advocate, for the petitioner.

Mr. Rajinder Singh, DAG, Haryana.

Mr. Sween Chaudhary, Advocate for
Mr. Sudershan Thakur, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. Petitioner-Vikram Setia has approached this Court seeking quashing of FIR No.137 dated 25.04.2016, Police Station Butana, District Karnal, under Sections 10 and 24 of Immigration Act, Sections 120-B, 323, 34, 420 and 506 of the Indian Penal Code, 1860, (Sections 467, 468 and 471 IPC were added while submitting report under Section 173 Cr.P.C), and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.
2. Vide order dated 06.09.2023, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

3. Report of learned Judicial Magistrate 1st Class, Karnal, has been received, wherein it has been reported that the statement of petitioner/accused Vikram Setia and complainant Babu Ram have been recorded to the effect that they have compromised the matter amongst themselves.
4. Complainant-Babu Ram in his statement had stated that he has no objection in case the FIR in question is quashed.
5. The learned Judicial Magistrate 1st Class, Karnal, has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
6. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.137 dated 25.04.2016, Police Station Butana, District Karnal, under Sections 10 and 24 of Immigration Act, Sections 120-B, 323, 34, 420 and 506 of the Indian Penal Code, 1860, (Sections 467, 468 and 471 IPC were added while submitting report under Section 173 Cr.P.C) and all subsequent proceedings emanating therefrom are hereby quashed qua the petitioner.

09.04.2024
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No