



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

286

CRM-M-46172-2019

Date of decision: May 9<sup>th</sup>, 2024

Rajwinder Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present: None for the petitioner.

Mr. Shiva Khurmi, Assistant Advocate General, Punjab.

Mr. Arvinder Singh Khosla, Advocate  
for respondent No.2.**MANJARI NEHRU KAUL, J. (ORAL)**

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.129 dated 04.11.2018 under Sections 420, 406 of the IPC, Section 13 of the Punjab Prevention of Human Smuggling Act 2012 and Section 24 of the Immigration Act registered at Police Station Division No.2, District Pathankot, along with all subsequent proceedings arising therefrom on the basis of compromise dated 27.05.2019 (Annexure P-2) arrived at between the parties

2. Vide order dated 20.11.2023 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 Judicial Magistrate Ist Class, Pathankot, 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 through video conference 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 attested copies of the statements of the parties, 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 Ist Class, Pathankot, 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.

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

May 9<sup>th</sup>, 2024  
Puneet

(MANJARI NEHRU KAUL)  
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No