

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-51905-2023
Date of decision: 20.01.2024

BHUPESH KUMARPetitioner.

Versus

STATE OF PUNJAB AND ANOTHERRespondents.

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Bhavyadeep Walia, Advocate for the petitioner.
Mr. Harpreet Singh, Addl. A.G., Punjab.
Mr. Umesh Pandey, Advocate for respondent No.2.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of the Code of Criminal Procedure, 1973, petitioner seeks quashing of FIR (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise/affidavit dated 29.09.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

FIR No.	Dated	Sections	Police Station
236	30.10.2022	406, 420 and 120-B of IPC and Section 468 and 471 of IPC and Section 13 of Punjab Human Smuggling Act, 2012 added later on.	Civil Lines, Patiala, District Patiala.

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed/affidavit dated 29.09.2023 (Annexure P-2), which is duly signed by them. The matter was referred to the Court below for recording of

statements of the parties and to report with respect to genuineness of the compromise arrived at between the parties. Judicial Magistrate Ist Class, Patiala, vide report dated 29.12.2023, has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure.

3. Respondent No. 2 is represented by his counsel and does not oppose the compromise.

4. In view of the report of the Judicial Magistrate Ist Class, Patiala, and in view of the decision of the Hon'ble Supreme Court in “Gian Singh Vs. State of Punjab and another”, 2012(4) RCR (Criminal) 543 and “Narinder Singh and Others Vs. State of Punjab and Another”, (2014) 6 SCC 466, this Court is of the opinion that no useful purpose can be served by keeping with the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioner/accused person.

5. In the circumstances, the present petition is allowed. FIR No. 236 dated 30.10.2022, under Sections 406, 420 and 120-B of IPC and Section 468 and 471 of IPC and Section 13 of Punjab Human Smuggling Act, 2012 added later on, registered at Police Station Civil Lines, Patiala, District Patiala. (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)
JUDGE

20.01.2024
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