

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

**CRM-M No. 57960 of 2023 (O&M)
Date of Decision: 23.01.2024**

Kirandeep Kaur alias Kiran alias Kiranjeet Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Rehat Bir Singh Mann, Advocate,
for the petitioners.

Mr. Gurlal Singh Dhillon, Assistant Advocate General, Punjab
for respondent No. 1.

Mr. Jaiveer Singh, Advocate
for respondent No. 2.

HARKESH MANUJA, J. (ORAL)

The petitioners, by way of present petition filed under Section 482 Cr.P.C., seek quashing of FIR No 81 dated 01.06.2023 (Annexure P-1) under Sections 420, 406, 370, 506 & 120-B of IPC; Section 13 of Punjab Prevention of Human Smuggling Act, 2012 (deleted later on) and Section 13 of Punjab Travel Professional Regulation Act, 2014 (added later on), registered at Police Station Sadar Tarn Taran, District Tarn Taran, alongwith all consequential proceedings arising out of the same on the basis of settlement / affidavit of complainant-respondent No. 2 dated 11.10.2023 (Annexure P-2).

[2] This Court while issuing notice of motion vide order dated 17.11.2023, directed the parties to appear before the Trial Court/Illaqa

Magistrate for recording their statements with regard to the validity of compromise.

[3] In pursuance to above order dated 17.11.2023, a report dated 10.01.2024 has been received from the concerned Court, stating that the compromise is genuine, voluntary and without any coercion or undue influence. No accused has been declared as proclaimed offender.

[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 petitioners; there does not appear to be any impediment as regards quashing of present FIR *qua* the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the present 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 the case(s) of ***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] Further, learned counsel for the petitioners, while placing reliance upon the judgments passed by the Hon'ble Supreme Court in the

case of *Jayrajsingh Digvijaysinh Rana Versus State of Gujarat and another, 2012(4) R.C.R. (Criminal) 589* and this Court in the case(s) of *Joginder Singh & another Versus State of Punjab and another*, passed in *CRM-M No.23739 of 2010* decided on 27.04.2011, *Rajinder Singh Versus State of Punjab & another*, passed in *CRM-M No.37395 of 2016* decided on 16.05.2017 and *Vimal Kalra & others Versus State of Punjab & another*, passed in *CRM-M No.20355 of 2022*, decided on 25.07.2022 submits that partial quashing of the FIR is possible on the basis of a compromise.

[7] 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 aforementioned judgments, the FIR (supra) as well as all subsequent proceedings arising therefrom are hereby quashed *qua* the petitioners.

[8] Accordingly, petition stands **allowed**, however, subject to payment of cost(s) of Rs.10,000/- to be deposited by the petitioners with the Punjab and Haryana High Court Association Lawyers’ Family Welfare Fund having Account No. 41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

January 23, 2024
'dk kamra'

(HARKESH MANUJA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No