

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

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CRM-M-59021-2024 (O&M)  
Date of Decision:- 17.12.2024

JYOTI KANDA ALIAS JYOTI DIMPY  
....Petitioner(s)

Versus

STATE OF PUNJAB AND ANOTHER  
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

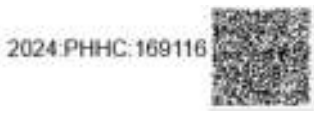
Present : Mr. Rahul K. Prasher, Advocate for the petitioner.  
Mr. Amit Shukla, AAG Punjab.  
Mr. B.S. Randhawa, Advocate for respondent No.2.  
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SANJIV BERRY, J. (ORAL)

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/settlement dated 25.09.2023 (Annexure P-2) executed between the parties. Details of the FIR are as follows:

| FIR No. | Dated      | Sections                                                            | Police Station                                 |
|---------|------------|---------------------------------------------------------------------|------------------------------------------------|
| 132     | 25.06.2019 | 420, 120-B IPC;<br>13 of Prevention of Human<br>Smuggling Act, 2012 | Civil Lines, Batala,<br>Police District Batala |

2. With the intervention of respectables and elderly people of the society, the parties have arrived at a settlement vide compromise deed dated 25.09.2023 (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. The learned Judicial Magistrate First Class, Batala vide report dated 05.12.2024 has apprised this Court that the compromise arrived at between the parties is genuine and without any pressure. The petitioner has also deposited the cost of Rs.10,000/- in compliance to the order dated 26.11.2024.

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

4. In view of the aforesaid report of the learned Judicial Magistrate First Class, Batala 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 the criminal proceedings pending, since the complainant has himself compromised the dispute with the petitioners/ accused persons.

5. In the circumstances, the present petition is allowed. FIR No.132 dated 25.06.2019 under Sections 420, 120-B IPC; 13 of Prevention of Human Smuggling Act, 2012 registered at Police Station Civil Lines, Batala (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed on the basis of compromise qua the present petitioner.

(SANJIV BERRY)  
JUDGE

17.12.2024  
S.Sharma(syr)

|     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |