



CRM-M-23304-2024

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**309 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-23304-2022

Date of Decision: 15.01.2025

Gurmit Kaur

..... Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ

Present: Mr. Harpreet Singh, Advocate, for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

Mr. Sahil Agnihotri, Advocate, for respondents No.2 and 3.

Rajesh Bhardwaj, J. (ORAL)

1. Prayer in the present petition is for quashing of the FIR No.139 dated 20.08.2022, registered under Sections 406, 420, 120-B IPC and Section 24 of the Immigration Act, at Police Station Dasuya, District Hoshiarpur and all the subsequent proceedings arising therefrom on the basis of compromise dated 03.04.2024 (Annexure P-2).

2. In pursuance to the direction issued by this Court vide orders dated 09.05.2024, learned Sub Divisional Judicial Magistrate, Dasuya, has sent his report dated 10.12.2024. Alongwith the report, he has annexed photocopy of the statement of ASI Jagga Ram, wherein, it has been mentioned that there were two accused persons against whom the present FIR was registered, however, present petition has been filed by one accused i.e. Gurmit Kaur and no compromise has been effected by the complainant with non-petitioner/accused, who is not party before this court.

3. Under these circumstances, it is clear that the compromise effected is a partial one. Hon'ble Division Bench of this Court in CRM-M-

48043-2023 titled as Rakesh Das vs. State of Haryana and another, decided on 12.11.2024, has held that no quashing should be allowed on the basis of the partial compromise.

4. In view of above, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to the petitioner to avail alternative remedy as available to him under law.
5. Allowed to do so.
6. Dismissed as withdrawn with liberty as prayed for.

15.01.2025

sharmila

(RAJESH BHARDWAJ)

JUDGE

Whether Speaking/Reasoned

:

Yes/No

Whether Reportable

:

Yes/No