



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-50771-2024(O&M)
Decided on :03.02.2025

Neha Gautam and another

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH**PRESENT:** None for the petitioners.

Mr. Amandeep Samra, AAG, Punjab.

SANJAY VASHISTH, J. (Oral)

1. The present petition under Section 528 BNSS has been filed by the petitioners, for quashing of FIR No.126 dated 26.05.2024, under Sections 406, 420 and 120-B IPC and Section 24 of the Immigration Act, registered at Police Station Mataur, District SAS Nagar and all the consequential proceedings arising therefrom, on the basis of compromise dated 31.07.2024 (P-2) and affidavit dated 26.09.2024(P-4).

2. On 07.01.2025, the following order was passed by this Court:

“1. On the very outset, learned State counsel points out that in pursuance to the registration of the impugned FIR, there were total five accused involved in the crime namely 1) Shiv Kumar, 2) Neha Gautam, 3) Kamalpreet Singh, 4) Gurwinder Singh and 5) Madam Simran.

2. Learned State counsel further submits that present petition seeking quashing the FIR on the basis of compromise has been filed by the accused (1) Neha Gautam and (2) Shiv Kumar only, and other three accused have not filed any quashing petition.

Therefore, he opposes the prayer made by the petitioners to quash the FIR, as the petition is not maintainable for the purpose of partial quashing of FIR on the basis of compromise.

3. On the other hand, counsel for the petitioners submits that the complete disputed amount has already been paid to all the three victims, and in that regard, joint statement of the



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victims namely Amrit Kaur and Daljit Kaur was recorded on 25.10.2024 by Judicial Magistrate 1 Class, Mohali, and the statement of the left out complainant/victim Bijjuru Lavanya was recorded on 26.11.2024 and same can be noticed from the report forwarded to this Court by the Court of learned Magistrate, upon direction passed by this Court.

4. However, on the question of not filing of the petition by all the five accused, counsel for the petitioners seeks a short adjournment to clear all the aspects, or if the need arises, he would file a separate petition on behalf of the other three accused also, for getting the same disposed of, along with the present petition.

5. Adjourned to 03.02.2025.”

3. It being a partial quashing, cannot be entertained in view of the judgment of Division Bench of this Court, titled as '**Rakesh Das Vs. State of Haryana**', 2024 NCPHHC 147654.

4. Disposed of in the aforementioned terms.

5. However, petitioners/accused would be at liberty to file a fresh comprehensive petition by impleading all the necessary parties.

(SANJAY VASHISTH)
JUDGE

February 03, 2025

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No