

2025:PHHC:003462



331.

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

CRM-M-54202-2024

Date of decision: 13.01.2025

Satnam Singh @ Lucky and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Simranjeet Singh Sarwara, Advocate, for the petitioners.

Mr. Navdeep Singh, DAG, Punjab.

Ms. Gurpreet Kaur, Advocate, for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. Prayer in the instant petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is for quashing of FIR No.70, dated 30.08.2024, under Sections 420, 120-B, 34 and Section 13 of Punjab Prevention of Human Smuggling Act 2012, registered at Police Station Sanor, District Patiala (Annexure P-1) and all subsequent proceedings arising out of the same, on the basis of compromise dated 01.10.2024 (Annexure P-2) arrived at, between the parties.

2. Vide order dated 29.10.2024 of this Court, the parties were directed to appear before the learned trial Court/Illaqa Magistrate on

29.11.2024 to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Patiala, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners is quashed.

4. The Trial Court has annexed the statements of the parties, in original, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of learned trial Court and the principles laid down by Hon'ble the Apex Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, and also by the Full Bench of this Court in ***Kulwinder Singh and others Versus State of Punjab and another, 2007(3) RCR (Criminal) 1052***, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed qua petitioners.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

January 13, 2025
sanjeev

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No