



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

300

CRM-M-63659-2024
Date of Decision:19.03.2025

BABBU KHAN

...PETITIONER

Versus

STATE OF PUNJAB AND ANR

... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE N. S. SHEKHAWAT

Present: Mr. N.S. Gill, Advocate for
Mr. Munish Gupta, Advocate
for the petitioner.

Mr. Deepinder Singh Brar, Sr. DAG, Punjab.

Mr. Paras Kukkar, Advocate for
Mr. Anil Saini, Advocate
for respondent No.2.

N. S. SHEKHAWAT, J. (Oral)

1. The instant petition has been filed under Section 528 Bharatiya Nagarik Suraksha Sanhita, for quashing of an FIR No.0197 dated 24.09.2020 under Sections 420 & 406 of IPC and Section 13 Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Mahilpur, District Hoshiarpur (Annexure P-1) alongwith all the consequential proceedings arising therefrom on the basis of compromise/affidavit dated 11.09.2024 (Annexure P-2).



2. Vide order dated 18.12.2024, a co-ordinate Bench of this Court and again on 03.02.2025, this Court had directed the parties to appear before the Illaqa Magistrate/trial Magistrate for getting their statements recorded with respect to the compromise dated 11.09.2024 (Annexure P-2).

3. Pursuant to aforesaid order, the parties have appeared before the learned Judicial Magistrate 1st Class, Garhshankar and got their statements recorded. Report dated 10.02.2025 has been received whereby after recording the statements of the parties, the Court below has shown its satisfaction that the compromise is genuine, voluntary and without any coercion or undue influence.

4. I have heard counsel for the parties and gone through the case file.

5. In the light of the satisfaction shown by the Court below and considering the offence for which the accused have been charged are not of serious nature, together with the fact that compromise will go a long way in ironing out the differences for betterment of future life of the parties and also in view of the law laid down in **Gian Singh Vs. State of Punjab and another, 2012 (4) RCR (Criminal) 543** and **Kulwinder Singh and others Vs. State of Punjab 2007(3) RCR (Criminal) 1052**, the present petition for quashing the FIR is allowed qua the petitioner.



6. Resultantly, FIR No.0197 dated 24.09.2020 under Sections 420 & 406 of IPC and Section 13 Punjab Prevention of Human Smuggling Act, 2012 registered at Police Station Mahilpur, District Hoshiarpur (Annexure P-1) alongwith all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

19.03.2025.
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(N. S. SHEKHAWAT)
JUDGE

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