

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-12448 of 2014 (O&M)
Date of Decision:31.03.2015

Devinder Singh and another

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Bhavyadeep Walia, Advocate for the petitioners.

Mr. P.S. Grewal, DAG, Punjab for respondent No.1.

Respondent No.2 in person.

NAVITA SINGH, J.

1. Reply filed by State is taken on record.
2. This petition has been filed under Sections 482 of the Code of Criminal Procedure for quashing of FIR No.352 dated 24.9.2008 under Sections 406 and 498-A of the Indian Penal Code registered at Police Station Tripuri, District Patiala, along with all the consequential proceedings arising therefrom, on the basis of compromise.
3. As per the direction given in order dated 16.9.2014 passed by this Court, statements of complainant Harpreet Kaur and accused Devinder Singh were recorded by Judicial Magistrate 1st Class, Patiala, where the complainant stated that she had settled the matter with accused Devinder Singh and she did not want to pursue the criminal case. She had no objection if the FIR was quashed.
4. As per the compromise, Harpreet Kaur and her husband Devinder Singh started living together. The opinion of the Magistrate is also recorded in his report that the compromise was genuine.

5. Vide order dated 9.2.2015, names of respondents No.3 to 5 were permitted to be deleted from the array of the respondents. Respondents No.3 and 5 are the sisters of petitioner Devinder Singh while respondent No.4 is husband of respondent No.3.

6. State counsel has pointed out that respondents No.3 to 5 were declared proclaimed offenders. Keeping in view the fact the names of respondents No.3 to 5 have been deleted, the relief is now practically sought only qua petitioners Devinder Singh and Ram Kaur.

7. Counsel for the parties have stated at bar that the matter has been compromised.

8. So, in view of the above circumstances and in view of authority reported as Kulwinder Singh and others Vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052, the above said FIR stands quashed only qua petitioners Devinder Singh and Ram Kaur and so do the further proceedings pursuant to that FIR against them.

9. Disposed of.

(NAVITA SINGH)
JUDGE

31.03.2015
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