

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

Crl. Misc. No. M-36531 of 2014

Date of decision: 15.01.2015

Ranjit Singh alias Jeeta and others

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Barjesh K. Sharma, Advocate,
for the petitioners.

Mr. Daljit Singh Virk, AAG, Punjab.

RITU BAHRI, J.

Quashing of FIR No. 6 dated 12.01.2014, under Section 306 IPC, registered at Police Station, Cheema, District Sangrur (Annexure P-1), is sought on the basis of compromise dated 17.07.2014 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Rani Kaur-respondent No.2 alleging that earlier her husband, Nazar Singh son of Hardas Singh used to clean drains of the village. But, now the village Panchayat has appointed one Nazar Singh son of Jora Singh for the said purpose. However, the wages in lieu of the work done by her husband, had not been paid to him despite making repeated requests. On that day at about 8.00 A.M., Ranjit Singh @ Jeeta, Hakam Singh, Dharma Singh, Lakhwinder Singh @ Lekhi and Mohinder Singh-petitioners were quarreling with her husband in the street. Thereafter, husband of the complainant left the spot. Above said Ranjit Singh @ Jeeta and Hakam Singh followed him on a motorcycle. Complainant also followed them. After going at some distance, she found that due to fear from above persons, her husband jumped into the

pond of their village, as a result of which he died. As per the complainant, the cause of this incident was that her husband was demanding his labour charges from the above said persons, which resulted into a quarrel between them. Due to this reason, her husband jumped into the pond and died. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of village Panchayat, the matter has now been resolved between the the petitioners and respondent No.2-Rani Kaur, vide compromise deed dated 17.07.2014 (Annexure P-2).

In compliance with the order dated 28.10.2014 passed by this Court, the parties got recorded their statements before the Illaqa Magistrate. Report from the Sub Divisional Judicial Magistrate, Sunam, has been received in this regard. As per report, Rani Kaur-respondent No.2 made her statement on 28.11.2014 to the effect that the present FIR was registered at her instance. Now with the intervention of relatives and respectable persons, she has compromised the matter with the accused (petitioners) and has no objection, if the above said FIR is quashed. Joint statement of Ranjit Singh @ Jeeta, Dharam Singh, Mohinder Singh, Hakam Singh and Lakhwinder Singh-petitioners was also recorded to the same effect. In view of separate statements of the parties, the court is satisfied that the compromise is valid and genuine one.

In this case, the offence alleged to have been committed by the petitioners is *non compoundable*. At this stage, reference can be made to a judgment delivered by the Hon'ble Supreme Court in **Narinder Singh and others Vs. State of Punjab and another**, 2014 (2) RCR (Criminal) 482, wherein it has been held that, if at the stage of investigation itself, the matter

is compromised, the High Court while exercising jurisdiction under Section 482 Cr.P.C., can quash the proceedings on the basis of such compromise.

Consequently, in view of the status report and the judgments of the Hon'ble Supreme Court in Narinder Singh's case (supra), Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429, the law laid down by the Full Bench of this Court in the case of Kulwinder Singh and Ors. vs. State of Punjab and another 2007(3) RCR (Crl.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 6 dated 12.01.2014, under Section 306 IPC, registered at Police Station, Cheema, District Sangrur, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

15.01.2015
ajp