

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-14355 of 2016
Date of Decision: 09.09.2016

Parminder Singh @ Pinder and anr.Petitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Amaninder Preet, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.K.S.Mamrat, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.35 dated 16.04.2016, for the offence under Sections 341, 354-B, 34 IPC registered at Police Station Kotkapura Sadar, District-Faridkot, along with all consequential proceedings arising therefrom, on the basis of compromise dated 21.04.2016 (Annexure P-2).

Learned State counsel has filed reply by way of affidavit of Amarjit Singh, PPS, DSP, Sub Division Kotkapura on behalf of State/respondent No.1. The same is taken on record.

It was alleged by the complainant that on 14.04.2016 at about 3 P.M., she along with her son Vishal was coming from her parental house Sabagh towards Hari Nau on their motorcycle and when they reached near Thadeyan Wala turn then behind them petitioners were coming on their motorcycle and they stopped the complainant and her son by parking their

motorcycle in front. Petitioners misbehaved with the complainant and torned her cloths. She and her son saved life by running away from there. Thereafter, petitioners came in front of her house and said inauspicious words and threatened the complainant to kill. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Jaswinder Kaur, vide compromise deed dated 21.04.2016 (Annexure P-2).

In compliance with the order dated 04.05.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the CJM, Faridkot, has been received in this regard. As per report, Jaswinder Kaur-complainant and petitioners appeared before the trial Court on 31.05.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant/respondent No.2-Jaswinder Kaur and petitioners were recorded to the effect that they have compromised the matter and Jaswinder Kaur-complainant has no objection if the present FIR is quashed against these accused/petitioners. Statement of accused-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.

Consequently, in view of the status report and the judgment of the Hon'ble Supreme Court in the case of **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 others 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.35 dated 16.04.2016, for the offence under Sections 341, 354-B, 34 IPC registered at Police Station Kotkapura Sadar, District-Faridkot,, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

09.09.2016
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