

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

**CRM No. M-16770 of 2015 (O&M)
Date of decision: 07.09.2016**

Balwinder Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Prashant Vashisth, Advocate,
for the petitioners.

Mr. J.S. Riar, AAG, Punjab.

Ritu Bahri, J.

Quashing of FIR No. 245 dated 30.10.2013, under Sections 354, 506, 34 IPC and Section 27 of Arms Act, registered at Police Station, Division No.7, Jalandhar City (Annexure P-1) is sought on the basis of compromise dated 13.11.2013 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Gurbinderpal @ Rana-respondent No.2 to the effect that on 30.10.2013, his daughter-Avjeet Rana was coming from Delhi to Jalandhar by bus. He along with his wife-Jaswinder Kaur went to receive his daughter at bus stand, Jalandhar by car. When his daughter and wife were coming out of the bus stand, one Sikh gentleman with trimmed beard tried to pull the *chunni* of his wife. When the complainant tried to catch him, his co-accused took out a revolver and threatened to kill him. He also used

abusive language against him. In this background, the FIR was registered.

During the pendency of the trial, with the intervention of respectable persons, the matter has now been amicably resolved between respondent No.2-complainant and the petitioners vide compromise deed dated 13.11.2013 (Annexure P-2).

In compliance with the order dated 23.02.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Chief Judicial Magistrate, Jalandhar has been received in this regard. As per report, Gurvinder Pal Singh Rana-respondent No.2 (complainant) made his statement on 10.03.2016 to the effect that with the intervention of respectable persons, he has compromised the matter with Balwinder Singh and Satish Kumar-petitioners at his own will and without any coercion or pressure. He has no objection if, the above said FIR is quashed. Statement of HC Sushil Kumar was also recorded on 14.03.2016 to the effect that accused Balwinder Singh had joined the investigation, whereas accused-Satish Kumar had not joined the same. Learned State counsel, on instructions from HC Naresh Kumar, has informed that cancellation report has since been prepared in this case. In view of separate statement given by the complainant, 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 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. 245 dated 30.10.2013, under Sections

354, 506, 34 IPC and Section 27 of Arms Act, registered at Police Station, Division No.7, Jalandhar City, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

07.09.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No