

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22392 of 2016
Date of Decision: 08.09.2016

Davinder Singh and others

.....Petitioners

Vs.

State of Punjab and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.A.S.Manaise, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.Gagandeep Singh, Manku, Advocate,
for respondents No.2 and 3.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.53 dated 24.05.2009, for the offence under Sections 452, 326, 324, 323, 354, 34 IPC, registered at Police Station Qadian, Police District Batala, District Gurdaspur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 16.09.2015 (Annexure P-4).

It was alleged by the complainant that when she heard some noise which was coming from the house of her neighbour i.e. Mangta Singh, from her door then Varinder Singh @ Sonu and his brother Davinder Singh abused her by saying that “what are you looking at our house”. Thereafter, they entered the house of complainant and caused injuries to her and one Paramjit Kaur wife of Kala Singh who is daughter

complainant was not present in the House. Both the victims were admitted by Joginder Singh-husband of the complainant. 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-Sarabjeet Kaur and respondent No.3-Paramjit Kaur, vide compromise deed dated 16.09.2015 (Annexure P-4).

In compliance with the order dated 08.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Batala, has been received in this regard. As per report, Sarabjeet Kaur-complainant/respondent No.2 and Paramjeet Kaur-respondent No.3 and accused-petitioners appeared before the trial Court on 11.08.2016 for getting their statements recorded in support of the compromise. In this regard statements of Sarabjeet Kaur-complainant/respondent No.2 and Paramjeet Kaur-respondent No.3 and accused-petitioners were recorded to the effect that they have compromised the matter and Sarabjeet Kaur-complainant/respondent No.2 and Paramjeet Kaur-respondent No.3 have no objection if the present FIR is quashed against these accused/petitioners. Statements of accused-petitioners were 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 (CrI.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.53 dated 24.05.2009, for the offence under Sections 452, 326, 324, 323, 354, 34 IPC, registered at Police Station Qadian, Police District Batala, District Gurdaspur, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

08.09.2016

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