

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

**CRM No. M-21793 of 2015
Date of decision: 08.12.2016**

Pargat Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.S. Dhandi, Advocate,
for the petitioners.

Mr. A.P.S. Gill, AAG, Punjab.

Ms. Archana Soni, Advocate,
for respondent Nos.2 to 4.

Ritu Bahri, J.

Quashing of FIR No.182 dated 15.06.2015, under Section 306 IPC, registered at Police Station, Tripari Town, District Patiala (Annexure P-1) is sought on the basis of compromise/affidavits dated 26.06.2015 (Annexures P-2 to P-4).

The F.I.R was registered on the basis of statement made by Harjinder Singh-respondent No.2 to the effect that marriage of his sister, Gurdeep Kaur, was solemnized with Pargat Singh-petitioner No.1 in the year 2002 as per Sikh rites and rituals. Out of this wedlock, one son namely Ggandeeep Singh was born. The in-laws of Gurdeep Kaur i.e. husband namely, Pargat Singh, father-in-law namely Chinder Singh, mother-in-law namely Karnail Kaur and brother-in-law namely Gurdas Singh were

demanding money from her for construction of a new house. On showing her inability to do so, they used to harass and humiliate her. In that regard, she had told her brother (complainant) that they had made her life as a hell. On 14.06.2015, Kuldeep Singh (brother-in-law of complainant's brother) had gone to the house of Gurdeep Kaur at village Rongla. In his presence, in-laws of Gurdeep Kaur had quarreled with her without any cause. Due to the harassment at the hands of her in-laws, Gurdeep Kaur had committed suicide by jumping into the Bhakhra Canal. In this background, the FIR was registered.

After registration of the FIR, with the intervention of respectable persons, the matter has now been amicably resolved between the parties. In this regard Harjinder Singh-complainant, his brother Harwinder Singh and father Harphool Singh have given their affidavits dated 26.06.2015 (Annexures P-2 to P-4).

In compliance with the order dated 28.07.2015 passed by this Court, the parties got recorded their statements before the Illaqa Magistrate. Report from the Judicial Magistrate, Ist Class, Patiala, has been received in this regard. As per report, Harjinder Singh-respondent No.2 (complainant) made his statement on 07.08.2015 to the effect that he had got registered the aforesaid FIR against the accused-petitioners. Now, he has compromised the matter with accused persons namely, Pargat Singh, Gurdas Singh, Karnail Kaur and Chinder Singh out of his own free will and without any coercion or pressure. He has no objection if, the above said FIR is quashed. Harwinder Singh-respondent No.3 and Harphool Singh-respondent No.4, who are brother and father of the complainant, have also made their statements while admitting the factum of compromise with the accused

persons. Joint statement of Pargat Singh, Gurdas Singh, Karnail Kaur and Chinder Singh-petitioners was also recorded to the same effect. In view of separate statements given by the parties, the court is satisfied that the compromise is valid and genuine one.

This Court in **Sucha Singh and others Vs. State of Punjab and another**, 2011 (7) RCR (Criminal) 2546, had quashed an FIR, which was registered under Section 306 IPC. In that case, mother of the deceased had given an affidavit stating therein that the deceased had two sons, aged about 10 and 12 years, which were living with their father Sukhwinder Singh and that the matter had been resolved keeping in mind the future of the children of deceased. While quashing the criminal proceedings, this Court had observed that continuation of the proceedings shall only result in wastage of time as the same was not likely to result in conviction. Further reference can be made to another judgment passed by this Court in **Sham Lal and another Vs. State of Punjab and another**, 2012 (8) RCR (Criminal) 432, wherein while quashing an FIR, which was registered under Section 306 IPC, it was observed as under:-

“8. Taking into account the allegations, compromise dated 19.02.2011 as well as affidavits of the complainant and other legal heirs as also the fact that no offence under Section 306 Indian Penal Code is made out, there is no impediment in the way of this Court to quash the present FIR and subsequent proceedings arising out of the same being misuse of the process of law.”

In the present case, father and brothers of the deceased have made their respective statements that they have compromised the matter and have no objection in quashing of the FIR.

Consequently, in view of the status report; decision given by

Hon'ble the Supreme Court in the case of **Madan Mohan Abbot vs. State of**

Punjab, 2008(2) RCR (Criminal) 429; the law laid down by a Full Bench of this Court in Kulwinder Singh and Ors. vs. State of Punjab and another, 2007(3) RCR (Crl.) 1052 and the judgments passed in Sucha Singh & Sham Lal's cases (supra), this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.182 dated 15.06.2015, under Section 306 IPC, registered at Police Station, Tripari Town, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

08.12.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No