

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-2476 of 2016
Date of Decision: 12.08.2016

Deepa @ Kuldeep and anotherPetitioners

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sunil Kumar Tandon, Advocate, for the petitioners.

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

Mr.Tarun Dhingra, Advocate, for respondent 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.369 dated 01.11.2015, for the offence under Sections 452, 354, 427, 323, 148, 149 IPC registered at Police Station Jodhewal, Distt. Ludhiana (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise/Affidavit dated 04.12.2015 (Annexure P-2).

It was alleged by the complainant that she was celebrating the birthday of her grandson namely Prabjot Singh with her close relatives. At that time a auto canter was parked outside her house and the driver namely Avi Chand was talking with her son namely Gurcharan Singh. Then a young man namely Deepa came there who is the neighbour of the complainant and abused the son of the complainant and the Avi Chand also and said that I will teach the lesson to both of you. After 15-20 minutes both

the petitioners along with some persons came with sword and iron sheet and

Deepa-petitioner No.1 gave sword blow to her relative Mohinder Singh-respondent No.3 and when the complainant tried to save her grandson Prabhjot Singh, petitioner No.2 gave sword blow to the complainant which was hit to toe of right leg of her grandson Prabhjot Singh. The people who came with the petitioners outraged the modesty of her daughter-in-law. 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-Ranjit Kaur, vide compromise deed dated 04.12.2015 (Annexure P-2).

In compliance with the order dated 22.01.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Ludhiana, has been received in this regard. As per report, Ranjit Kaur-complainant and accused-petitioners appeared before the trial Court on 11.03.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Ranjit Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Ranjit Kaur-complainant has no objection if the present FIR is quashed against these accused. 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 (Crl.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.369 dated 01.11.2015, for the offence under Sections 452, 354, 427, 323, 148, 149 IPC registered at Police Station Jodhewal, Distt. Ludhiana (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

12.08.2016
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