

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

**CRM-M-2487 of 2016
Date of Decision: 26.07.2016**

Gurdev Singh and another**Petitioners**

Vs.

State of Punjab and others**Respondents**

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Gaurav Singla, Advocate, for the petitioners.

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

Mr.V.S.P.Mithewal, 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.45 dated 01.04.2015, for the offence under Sections 458, 354, 354-A, 354-B, 323 and 34 IPC registered at Police Station Chhajli, District Sangrur (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 29.12.2015 (Annexure P-2).

The FIR was registered on the basis of statement made by Gurmit Kaur-complainant/respondent No.2 to the effect that her first marriage was performed with one Tari Singh who died after 4/5 month of their marriage. A male child was born after this wedlock. Due to death of her husband, her second marriage was performed with Dharam Singh alias Leela and out of this wedlock also one girl child was born. It was alleged by the complainant that Jograj Singh her brother-in-law/petitioner No.2 had outraged her modesty by force and petitioner No.1 had inflicted

injuries upon her and her son. 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-Gurmit Kaur, vide compromise deed dated 29.12.2015 (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 Sub Divisional Judicial Magistrate, Sunam (Sangrur), has been received in this regard. As per report, Gurmit Kaur-complainant and accused-petitioners appeared before the trial Court on 02.02.2016 for getting their statements recorded in support of the compromise. In this regard statements of Gurmit Kaur-complainant and accused-petitioners were recorded to the effect that they have compromised the matter and Gurmit 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 (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.45 dated 01.04.2015, for the offence under Sections 458, 354, 354-A, 354-B, 323 and 34 IPC registered at Police Station Chhajli, District Sangrur (Annexure P-1) is quashed along with all

consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

26.07.2016
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