

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25816 of 2016
Date of Decision: 30.09.2016

Jarnail Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.J.S.Moudgill, Advocate, for the petitioner.

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

Mr.A.S.Dhindsa, 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.29 dated 27.02.2016, for the offence under Sections 323, 341, 506 IPC and 376 IPC was added lateron registered at Police Station Chajjli Distt. Sangrur (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 24.06.2016 (Annexure P-2).

Learned counsel for the State submits on instructions from HC Harmesh Singh that during the inquiry the offence under Section 376 was deleted.

It was alleged by the complainant that she along with her neighbour Pal Kaur had gone to the fields for gathering the sticks for burning of stove (Chulah) as a routine basis then the petitioner having sticks in his hand came running to her from his fields and asked to the complainant to leave the place and when they started going from there then petitioner

gave four blows upon the complainant which hit on her left hand, legs and also on her right arm and he also abused her. After hue and cry made by the complainant, some local people rescued the complainant. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-Sarabjit Kaur, vide compromise deed dated 24.06.2016 (Annexure P-2).

In compliance with the order dated 29.07.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Sunam, has been received in this regard. As per report, Sarabjit Kaur-complainant and accused-petitioner appeared before the trial Court on 08.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Sarabjit Kaur and accused-petitioner were recorded to the effect that they have compromised the matter and Sarabjit Kaur-complainant has no objection if the present FIR is quashed against the accused/petitioner. Statements of accused-petitioner 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.29 dated 27.02.2016, for the offence

under Sections 323, 341, 506 IPC registered at Police Station Chajjli Distt. Sangrur (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

30.09.2016
anil

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>