

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-27796 of 2016
Date of Decision: 07.11.2016

Gurinder Singh

.....Petitioner

Vs.

State of U.T.Chandigarh and anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ramesh Kumar Bamal, Advocate for the petitioner.

Ms.Ashima Mor, Advocate, for U.T.Chandigarh.

Mr.Narinder S.Lucky, 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.313 dated 23.07.2014, for the offence under Sections 323, 354 IPC registered at Police Station Sector-11, Chandigarh (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 28.07.2016 (Annexure P-2).

It was alleged by the complainant that petitioner was breaking the lanter of the first floor and when she reached there to inform him that Court had already granted status quo on the first and the second floor then instead of listening to the complainant, petitioner misbehaved with the complainant and forcibly pushed her and kicked on her chest and hit with some rod like object and abused her in terms of mother and sister with derogatory remarks against her caste. The complainant was saved by her

the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondent No.2-Raminder Partap Kaur, vide compromise deed dated 28.07.2016 (Annexure P-2).

In compliance with the order dated 16.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the Civil Judge (Jr.Divn.), Chandigarh, has been received in this regard. As per report, Raminder Partap Kaur-complainant and accused-petitioner appeared before the trial Court on 02.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Raminder Partap Kaur and accused-petitioner were recorded to the effect that they have compromised the matter and Raminder Partap 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.313 dated 23.07.2014, for the offence under Sections 323, 354 IPC registered at Police Station Sector-11, Chandigarh (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

07.11.2016
anil

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