

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28950 of 2016
Date of Decision: 20.12.2016

Malkiat Singh and anotherPetitioners

Vs.

State of Punjab and anotherRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms.Rahish Pahwa, Advocate, for the petitioners.

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

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.113 dated 08.07.2016, for the offence under Sections 363, 366-A, 120-B IPC registered at Police Station Sidhwan Bet, Distt. Ludhiana along with all consequential proceedings arising therefrom, on the basis of compromise dated 11.07.2016 (Annexure P-2).

It was alleged by the complainant that petitioner No.1- Malkiat Singh S/o Mohinder Singh had enticed away his daughter- Saranjit Kaur who is minor on the pretext to marry with her and in this process petitioner No.2-Malkiat Singh son of Karnail Singh had helped them. 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-Balwinder Singh, vide compromise deed dated 11.07.2016 (Annexure P-2) and affidavit of complainant (Annexure P-3).

In compliance with the order dated 22.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Jagraon, has been received in this regard. As per report, Balwinder Singh-complainant and her daughter-Saranjit Kaur and accused-petitioners appeared before the trial Court on 12.10.2016 for getting their statements recorded in support of the compromise. In this regard statements of Balwinder Singh-complainant and her daughter-Saranjit Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Balwinder Singh-complainant and her daughter-Saranjit Kaur have no objection if the present FIR is quashed against these accused/petitioners. 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.113 dated 08.07.2016, for the offence under Sections 363, 366-A, 120-B IPC registered at Police Station Sidhwan Bet, 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

20.12.2016
anil

Whether speaking/reasoned :	Yes/No
Whether reportable	Yes/No