

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-30129 of 2016
Date of Decision: 11.11.2016

Sardara Ram and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ramesh Sharma, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.B.S.Jaswal, 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.68 dated 11.05.2013, for the offence under Sections 342/354/382/506/148/149 IPC registered at Police Station Sadar Fazilka along with all consequential proceedings arising therefrom, on the basis of compromise dated 23.08.2016 (Annexure P-2).

It was alleged by the complainant that she was threatened by the petitioners to leave the plot which was owned by her daughter. The petitioners by force were demolishing the walls of the house of complainant's daughter and all the building materials have been taken away on the trolley. 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-Manjit Kaur, vide compromise deed dated 23.08.2016 (Annexure P-2).

In compliance with the order dated 29.08.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the ACJM, Fazilka, has been received in this regard. As per report, Manjit Kaur-complainant and accused-petitioners appeared before the trial Court on 07.09.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant- Manjit Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Manjit 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.68 dated 11.05.2013, for the offence under Sections 342/354/382/506/148/149 IPC registered at Police Station Sadar Fazilka, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

11.11.2016