

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

CRM No. M-31151 of 2016 (O&M)

Date of decision: 22.11.2016

Nirbhai Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ramandeep, Advocate,
for the petitioners.

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

Ritu Bahri, J.

Quashing of FIR No. 241 dated 03.09.2013, under Sections 354 and 294 IPC, registered at Police Station, Patran, District Patiala (Annexure P-1) is sought on the basis of compromise dated 26.08.2016 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Hardev Kaur-respondent No.2 (complainant) to the effect that on 03.09.2013, when she was going towards the house of a known person in connection with some household work, Nirbhai Singh came in the street and caught hold of her arm. He used filthy language against her. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 26.08.2016 (Annexure P-2).

In compliance with the order dated 05.09.2016 passed by this Court, parties got recorded their statements before the trial Court/Illaq Magistrate. Report from the Judicial Magistrate, Ist Class, Samana, has been received in this regard. As per report, Hardev Kaur-respondent No.2 (complainant) made her statement on 22.09.2016 to the effect that with the intervention of respectable persons, she has compromised the matter with accused-petitioner out of her own free will and without any coercion or pressure. Now she is residing happily with her husband-Gautam Sharma at the aforesaid address. She has no objection if, the above said FIR is quashed. Separate statement of Nirbhai Singh-petitioner was also recorded to the same effect. In view of separate statements given by 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 Ors. 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. 241 dated 03.09.2013, under Sections 354 and 294 IPC, registered at Police Station, Patran, District Patiala, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

22.11.2016
ajp

(RITU BAHRI)
JUDGE