

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-31527 of 2016 (O&M)

Date of Decision: 21.11.2016

Mukhtiar Singh and Others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Rajiv Joshi, Advocate, for the petitioners.

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

Ms.Ramneer Kaur, Advocate, for respondent No.2.

RITU BAHRI, J. (ORAL)

CRM No.35955-56 of 2016

For the reasons mentioned in the applications, the same are allowed.

The order dated 27.10.2016 is taken on record and the main case is taken up for today respectively.

CRM-M-31527 of 2016

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.3 dated 11.04.2015, for the offence under Sections 406, 498-A, 494, 420, 120-B IPC registered at Police Station NRI, District Jalandhar and order dated 15.10.2015 (Annexure P-2) along with all consequential proceedings arising therefrom, on the basis of compromise dated 12.08.2016 (Annexure P-3).

A perusal of the order dated 15.10.2015 (Annexure P-2) shows that petitioner No.3 who had been declared as proclaimed offender, has

been released on regular bail vide order dated 27.10.2016 (Annexure P-5) attached with the application. Thereafter, statement of petitioner No.3 has been recorded. The statement of complainant-Sarabjit Kaur has also been recorded before the trial Court stating therein that she has compromised the matter with all the petitioners. In terms of the compromise, she had received Rs.4 Lacs earlier and on the date of recording the statement in the Court the balance amount of Rs.4 Lacs vide draft No.694274 dated 30.09.2016 was received by the respondent No.2 from the petitioners and stated that she has no objections if the FIR is quashed qua the petitioners.

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.

Keeping in view the order dated 15.10.2015 (Annexure P-2), petitioner No.3-Jaswant Singh who had been declared as proclaimed offender has been released on regular bail vide order dated 27.10.2016 (Annexure P-5) and in view of the statements of both the parties, FIR No.3 dated 11.04.2015, for the offence under Sections 406, 498-A, 494, 420, 120-B IPC registered at Police Station NRI, District Jalandhar is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

21.11.2016