

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

Crl. Misc. No.M-38188 of 2015

Date of Decision: 21.01.2016

Ram Tirath and others

....Petitioners

Versus

State of Punjab and others

....Respondents

Crl. Misc. No.M-43337 of 2015

Jagtar Singh and others

....Petitioners

Versus

Sharanjit Kaur and another

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

- 1. Whether reporters of local newspapers may be allowed to see the judgment ? (Yes/No)**
- 2. To be referred to reporters or not ? (Yes/No)**
- 3. Whether the judgment should be reported in the Digest ? (Yes/No)**

Present:- Mr. H.S. Dhindsa, Advocate
for the petitioners.

Mr. Rupam Aggarwal, D.A.G., Punjab
for the respondent-State.

Kanwar Arun Singh, Advocate
for respondent No.4 in
Crl. Misc. No.M-38188 of 2015
for respondent No.1 in
Crl. Misc. No.M-43337 of 2015

DAYA CHAUDHARY, J.

By this judgment of mine, two petitions bearing ***Criminal Misc.***

No.M-38188 of 2015 and ***Criminal Misc. No.M-43337 of 2015*** shall be

disposed of as these have been filed for quashing of FIR as well as criminal complaint, on the basis of compromise.

Criminal Misc. No.M-38188 of 2015 has been filed by the petitioners, namely, Ram Tirath, Devinder Singh and Satnam Kaur @ Satya for quashing of FIR No.8 dated 09.01.2010 registered under Sections 324/323/354/313/498-A/120-B IPC at Police Station Mukerian, District Hoshiarpur along with subsequent proceedings arising therefrom, on the basis of compromise arrived at between the parties.

Criminal Misc. No.M-43337 of 2015 has been filed by the petitioners, namely, Jagtar Singh, Ram Tirath Singh, Satnam Kaur, Devinder Singh, Varinder Singh, Rupinder Kaur, Kulwinder Kaur and Manjit Kaur for quashing of private complaint No.8911 dated 31.01.2011 under Sections 307/323/324/354/313/498-A/120-B/34 IPC pending before the Sub Divisional Judicial Magistrate, Mukerian.

During pendency of both the proceedings, the parties in FIR case as well as in private complaint have compromised their dispute and these two petitions have been filed for quashing of FIR as well as complaint case.

Vide order dated 23.12.2015 passed in **Criminal Misc. No.M-43337 of 2015**, the parties were directed to appear before the trial Court for recording of their statements with regard to compromise.

In compliance of said directions, the parties have appeared before the trial Court and their statements with regard to compromise effected in private complaint were recorded.

Similarly, the statements of the parties were recorded in pursuance of directions issued vide order dated 06.11.2015 in **Criminal Misc. No.M-38188 of 2015**.

After recording the statements in both the cases, a report

along with statements of the parties has been sent by District and Sessions Judge, Hoshiarpur. It has been mentioned in the report that the compromise arrived at between the parties is as per their free will, without any fear or pressure from either side. Complainant-Sharanjit Kaur has stated that she has no objection in quashing of the complaint as well as other proceedings arising therefrom. She has also stated that she has received an amount of ₹ 15 lacs by way of demand draft No.810391 dated 09.10.2015 drawn at State Bank of India, Branch Dhamian.

Similarly, the statements of accused persons, namely, Jagtar Singh, Ram Tirath, Satnam Kaur, Devinder Singh, Varinder Singh, Rupinder Kaur, Kulwinder Kaur and Manjit Kaur were recorded, wherein, the factum of compromise has been affirmed.

In FIR case also, the complainant-Sharanjit Kaur has stated that the FIR was registered due to misunderstanding and now she does not want to take any action against the accused persons and has no objection in quashing of the FIR or acquittal of the accused. It is also stated that the compromise arrived at between the parties is without undue pressure from either side.

Since the dispute between the parties has arisen out of the matrimonial dispute and has been settled by way of compromise; the complainant has no objection in quashing of the FIR as well as complaint case; the continuation of the proceedings would be futile in exercise as the complainant is not going to support the case of the prosecution; the purpose of compromise is to maintain peace and harmony in the relations and also in the interest of the parties; the complainant is satisfied with the compromise and she had also received the amount in *lump sum* as settled as per the terms and conditions of the compromise; both the petitions bearing **Criminal Misc. No.M-38188 of 2015** and **Criminal Misc. No.M-**

43337 of 2015 are allowed.

FIR No.8 dated 09.01.2010 registered under Sections 324/323/354/313/498-A/120-B IPC at Police Station Mukerian, District Hoshiarpur along with subsequent proceedings in **Criminal Misc. No.M-38188 of 2015** qua petitioners, namely, Ram Tirath, Devinder Singh and Satnam Kaur @ Satya, as well as, **private complaint No.8911** dated 31.01.2011 moved under Sections 307/323/324/354/313/498-A/120-B/34 IPC pending in the Court of Sub Divisional Judicial Magistrate, Mukerian along with subsequent proceedings in **Criminal Misc. No.M-43337 of 2015** qua petitioners, namely, Jagtar Singh, Ram Tirath Singh, Satnam Kaur, Devinder Singh, Varinder Singh, Rupinder Kaur, Kulwinder Kaur and Manjit Kaur are quashed.

21.01.2016
gurpreet

(DAYA CHAUDHARY)
JUDGE