

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

CRM-M No.39601 of 2015
DATE OF DECISION:08.01.2016

Dev Kaur & another

...Petitioners

Vs.

State of Punjab & another

...Respondents

CORAM:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present: Mr. Rakesh Kumar, Advocate
for the petitioners.

Mr. Varun Sharma, AAG, Punjab.

Mr. Navjot Singh, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.(ORAL)

This petition has been filed under Section 482 Cr. P. C for quashing of the F. I. R No.53 dated 07.05.2015 registered under Sections 363/ 366(A)/ 120-B of IPC at Police Station Sultanpur Lodhi, District Kapurthala, on the basis of compromise.

Notice of motion was issued in the case on 26.11.2015 and the parties were directed to appear before Chief Judicial Magistrate/Illaq Magistrate for recording of their statements with regard to compromise. In compliance of direction issued by this Court, the petitioners as well as complainant appeared before Sub Divisional Judicial Magistrate, Sultanpur Lodhi and their statements were recorded. A report has been sent by Sub Divisional Judicial Magistrate, Sultanpur Lodhi which is on record wherein it has been mentioned that statements of the parties were recorded and complainant was having no grouse in quashing of FIR and other

proceedings. A perusal of statement of complainant reveals that compromise is without any pressure or threat and the same is with intervention of respectables of the society just to maintain peace and harmony between the parties.

Learned counsel for the parties submits that petitioner No.1 is mother of petitioner No.2 and petitioner No.2 is husband of Ramanpreet Kaur who is grand-daughter of the complainant. A marriage has been solemnized between the parties and the complainant has no objection in quashing of the FIR and other proceedings arising therefrom. Learned counsel also submits that the compromise has been arrived at with the intervention of the respectables of the society and the complainant has no objection in quashing of FIR and other proceedings. Complainant is present in Court who has been identified by his counsel. Petitioner No.2 as well as his wife are also present in the Court and they have been identified by their counsel. They have also affirmed the factum of compromise. Moreover, a petition bearing No.CRM-M No.18913 of 2015 was also filed for protection which was disposed of with a direction to ensure the protection of the petitioner vide order dated 03.06.2015 by this Court.

Since the dispute between the parties has been settled by way of compromise and complainant has no objection in quashing of the FIR and other proceedings arising therefrom, the continuation of the proceedings would be an exercise in futility which will not only be wastage of valuable time of the Court but it would also be not in the interest of both the parties.

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Accordingly, the present petition is allowed and F. I. R No.53 dated 07.05.2015 registered under Sections 363/ 366(A)/ 120-B of IPC at Police Station Sultanpur Lodhi, District Kapurthala as well as other proceedings arising therefrom are hereby quashed.

08.01.2016
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(DAYA CHAUDHARY)
JUDGE