

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-42597 of 2015
Date of Decision: 02.09.2016

Tirath Kaur and others

.....Petitioners

Vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Sunil Agnihotri, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG Punjab.

Mr.G.S.Rawat, 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.51 dated 14.06.2010 for the offence under Sections 342, 323, 354, 506, 34 IPC registered at Police Station Haryana, District Hoshiarpur, along with all consequential proceedings arising therefrom, on the basis of compromise dated 11.12.2015 (Annexure P-2).

It was alleged by the complainant-Jasvir Kaur in the FIR that there was a dispute regarding the partition of the house with her maternal uncle Gurzar Singh which was pending at that time in the Court. On 14.06.2010, when the complainant saw from the roof that petitioners were demolishing the foundation structure of the disputed place, she and her sister-Paramjit Kaur tried to stop them from working but they were beaten and tied with tree by the petitioners and a threatening was also given by

registered.

During the pendency of the trial, the matter has been resolved between the petitioner and respondent No.2-,Jasvir Kaur vide compromise deed dated 11.12.2015 (Annexure P-2).

In compliance with the order dated 04.05.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the JMIC, Hoshiarpur, has been received in this regard. As per report, Jasvir Kaur-complainant and accused-petitioners appeared before the trial Court on 19.05.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant-Jasvir Kaur and accused-petitioners were recorded to the effect that they have compromised the matter and Jasvir Kaur-complainant has no objection if the present FIR is quashed against these accused/petitioners. 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 (CrI.) 1052**, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.51 dated 14.06.2010 for the offence under Sections 342, 323, 354, 506, 34 IPC registered at Police Station

Haryana, District Hoshiarpur, is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

02.09.2016

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