

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

**CRM No. M-4442 of 2016
Date of decision: 27.10.2016**

Harbhajan Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.S. Bajwa, Advocate,
for the petitioner.

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

Mr. G.S. Sandhu, Advocate,
for respondent No. 2.

Ritu Bahri, J.

Quashing of FIR No. 180 dated 01.05.2012, under Sections 323, 341, 506 & 354 IPC, registered at Police Station, Civil Lines, Amritsar, District Amritsar (Annexure P-1), is sought on the basis of compromise dated 12.11.2013 (Annexure P-2) effected between the parties.

The F.I.R was registered on the basis of statement made by Damini-respondent No.2 to the effect that earlier she was married to Vishal Thakral son of late Sh. Baldev Raj, resident of village Raja Sansi in the year 1999 and out of this marriage, one daughter namely, Khushi was born. In the year 2001, she gave divorce to her husband-Vishal and thereafter, started residing with her parents. In 2004, she started working at Rishab Auto, Batala Road, Amritsar. Balwinder Singh (her second husband) was also working there. They developed a relationship and started living together without getting married. In the year 2006, she gave birth to a male

child. Thereafter, their relations became strained and they started living separately. However, the matter was compromised in Police Station, Sadar, Amritsar. On 01.05.2012, when she had gone to purchase few things for her children and was standing in Crystal Chowk, her husband-Balwinder Singh along with Harbhajan Singh, Sarpanch and one girl, aged about 24/25 years, came there in I-20 car. Balwinder Singh caught hold of her arms and gave slaps on her face. Thereafter, Harbhajan Singh, Sarpanch, started doing wrong acts with her. In this background, the FIR was registered.

During the pendency of trial, with the intervention of respectable persons, the matter has been amicably compromised between the parties vide compromise deed dated 12.11.2013 (Annexure P-2).

In compliance with the order dated 17.08.2016 passed by this Court, parties have got recorded their statements before the trial Court. In this regard, a status report has been received from the Chief Judicial Magistrate, Amritsar. As per report, Damini-complainant (respondent No.2) made her statement on 23.09.2016 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 pressure or coercion. She has no objection, if the aforesaid FIR is quashed. Separate statement of Harbhajan Singh-petitioner was also recorded to the same effect. In view of separate statements given by the parties, this 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 (Cr1.) 1052, this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 180 dated 01.05.2012, under Sections 323, 341, 506 & 354 IPC, registered at Police Station, Civil Lines, Amritsar, District Amritsar, is quashed with all consequential proceedings arising therefrom qua the petitioner.

The petition stands disposed of accordingly.

27.10.2016
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No