

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

**CRM-M No. 7354 of 2016 (O&M)**

**Date of decision: 14.07.2016**

**Amarjit Kaur**

**...Petitioner**

**Vs.**

**State of Punjab & Another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA**

Present : Mr. Avtar Singh Khinda, Advocate  
for the petitioner.

Mr. Sultan Singh Gill, DAG, Punjab.

None for respondent No. 2.

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**HARI PAL VERMA, J. (Oral)**

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No. 158 dated 26.12.2009, under Sections 420, 406, 34 IPC, registered at Police Station Sadar, Kapurthala, District-Kapurthala (Annexure P-1) and all consequential proceedings arising therefrom on the basis of compromise by way of affidavit dated 12.02.2016 (Annexure P-2).

This Court, vide order dated 29.02.2016, had directed the parties to appear before the trial Court on 22.03.2016 and the trial Court was directed to send its report qua the genuineness of the compromise, however, parties could not appear. Again, vide order dated 02.05.2016, one more

opportunity was granted to the parties to appear before the trial Court on 12.05.2016 for getting their statements recorded.

Pursuant to the aforesaid order dated 02.05.2016, the parties have appeared before learned Additional Chief Judicial Magistrate, Kapurthala and got their statements recorded. On the basis of the statements so recorded by the parties, learned Magistrate has submitted her report dated 12.05.2016 to the effect that the compromise has been effected with the free will and consent of the parties.

Though none has put in appearance on behalf of respondent No.2-complainant Jasbir Singh, but no prejudice would be caused to him as he has already made his statement with regard to the compromise before learned Magistrate on 12.05.2016. The same is being reproduced as under:

***"I had got registered one FIR No. 158 dated 26.12.2009 under Section 406, 420, 34 IPC, PS Sadar, Kapurthala against five persons namely Balbir Kaur, Amarjit Kaur, Sandeep Kaur, Rajwinder Kaur and Gian Singh. The accused Gian Singh son of Dhanna Singh was declared proclaimed offender. I have compromised the matter only with accused Amarjit Kaur wife of Wariam Singh resident of Jahura, Police Station Tanda, District Hoshiarpur, voluntarily without any pressure or coercion with the intervention of the respectables of the locality and to keep harmony amongst ourselves. I have no objection if the proceedings against Amarjit Kaur the above said accused be quashed."***

Learned State counsel also stated that he has no objection in case the FIR in question is quashed qua petitioner-

Amarjit Kaur.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R. qua the petitioner since chances of her conviction are bleak.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No. 158 dated 26.12.2009 under Sections 420, 406, 34 IPC registered at Police Station Sadar Kapurthala, Kapurthala (Annexure P-1) and all consequential proceedings arising therefrom are quashed qua the petitioner- Amarjit Kaur on the basis of compromise by way of affidavit dated 12.02.2016 (Annexure P-2).

**July 14, 2016**

*waseem*

**(HARI PAL VERMA)  
JUDGE**