

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

Crl. Misc. No.M-7675 of 2016
Date of Decision: 11.05.2016

Harjeet Singh and othersPetitioners

Versus

State of Punjab and anotherRespondents

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. R.S. Dhaliwal, Advocate
for the petitioners.

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

Mr. S.S. Sodhi, Advocate
for respondent No.2.

DAYA CHAUDHARY, J.

The present petition has been filed by petitioners-Harjeet Singh, Surinder Kaur and Sarabjit Singh under Section 482 Cr.P.C for quashing of FIR No.221 dated 21.12.2015 registered under Sections 354, 323, 506, 148 and 149 IPC at Police Station City Sunam, District Sangrur along with all consequential proceedings arising therefrom on the basis of compromise arrived at between the parties.

As per case of the petitioners, son of petitioners No.1 and 2 was having love affair with respondent No.2 but the same was not liked by their parents. Son of petitioners No.1 and 2, namely, Prabhjeet Singh and respondent No.2 remained together for some time. However, during this

period, the misunderstanding arose between the petitioners and respondent No.2 and hence, the FIR, in question, was registered on the basis of statement made by respondent No.2. The petitioners filed a petition for anticipatory bail, wherein by recording the contention of the parties that there is a possibility of settlement between them, the interim bail was granted. Complainant was also present at the time of hearing of petition. Subsequently, a compromise was arrived at between the parties and it was decided by the complainant that she will not continue with the pending litigation.

Notice of motion in the case was issued on 03.03.2016 and the parties were also directed to appear before the Illaqa Magistrate for recording of their statements with regard to compromise.

In compliance of directions issued by this Court on 03.03.2016, the petitioners as well as complainant appeared before the trial Court and their statements were recorded, wherein, the factum of compromise has been affirmed. A report to this effect has been sent, wherein, it has been stated that the compromise arrived at between the parties is as per their free will and without any pressure from either side. Complainant has specifically stated in her statement that she has no objection in quashing of FIR or discharge/acquittal of the accused persons.

The factum of compromise has also been affirmed by learned counsel appearing on behalf of respondent No.2.

A larger Bench of this Court in ***Kulwinder Singh vs State of Punjab 2007(3) RCR (Criminal) 1052*** has also observed that the proceedings can be quashed even in case of non-compoundable offences, in case, the compromise is there between the parties.

In the present case, the relationship between son of petitioners No.1 and 2 with respondent No.2 was voluntary but both the families were

against this relationship. Subsequently, the dispute was sorted out between the parties by way of compromise. No purpose would be served in case the proceedings are allowed to continue in future as the complainant is not going to support the case of the prosecution because of compromise arrived at with the accused persons.

By exercising the powers under Section 482 Cr.P.C and by considering the interest of the parties, the present petition is allowed. FIR No.221 dated 21.12.2015 registered under Sections 354, 323, 506, 148 and 149 IPC at Police Station City Sunam, District Sangrur along with all consequential proceedings arising therefrom qua petitioners-Harjeet Singh, Surinder Kaur and Sarabjit Singh, are hereby quashed.

11.05.2016
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(DAYA CHAUDHARY)
JUDGE