

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

**CRM No. M-14411 of 2016
Date of decision: 17.04.2017**

Sarwan Ram and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. D.R. Punia, Advocate,
for the petitioners.

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

Mr. Puneet Gupta, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No. 09 dated 26.01.2016, under Sections 323, 354, 341, 427, 506, 120-B read with Section 34 IPC, registered at Police Station, Goraya, District Jalandhar is sought on the basis of compromise dated 22.03.2016 (Annexure P-1) effected between the parties.

The F.I.R was registered on the basis of statement made by Kamaljit Kaur-respondent No.2 (complainant) alleging that there was a dispute with regard to water in the street by using pipe and in this regard, an application was moved against the complainant by Joginder Ram and Sarwan Ram. However, with the intervention of respectable persons of the village, a compromise was effected between them on 09.01.2016. Thereafter, when she was going to her new house, she found that Sarwan Ram-petitioner No.1 was damaging the pipe with a hammer. When the complainant asked her to stop, he started abusing her. Thereafter, Harvinder

Kumar @ Bitu, his wife Kirandeep and Piari came out of their houses and molested her. In this backdrop, the FIR was registered.

During the pendency of investigation, with the intervention of respectable persons, the matter has been amicably resolved between the parties vide compromise deed dated 22.03.2016 (Annexure P-1).

Vide order dated 08.08.2016 passed by this Court, parties were directed to get their statements recorded before the trial Court/Illaq Magistrate. As per report dated 01.12.2016 received from the Judicial Magistrate Ist Class, Phillaur, Kamaljit Kaur-respondent No.2 (complainant) made her statement on 29.11.2016 to the effect that she has not compromised the matter with the accused-persons.

Today, with the assistance of Ms. Kamalpreet, Advocate/Mediator, both the parties have compromised the matter. A written compromise deed, duly signed by both the parties, has been placed on record. It has been agreed that Rs.40,000/- will be paid by the petitioners as compensation to complainant-Kamaljit Kaur on 29.04.2017, which is the date fixed before the trial Court. The complainant states that she has no objection, if the present FIR is quashed in the light of the settlement/agreement. In view of settlement/agreement dated 17.04.2017, this Court is satisfied that the dispute has been resolved between the parties and 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 (Crl.) 1052**, this Court is of the view

that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 09 dated 26.01.2016, under Sections 323, 354, 341, 427, 506, 120-B read with Section 34 IPC, registered at Police Station, Goraya, District Jalandhar, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

17.04.2017
ajp

(RITU BAHRI)
JUDGE

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