

CRM No. M-30654 of 2016

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM No. M-30654 of 2016
Date of Decision : 25.08.2017

Pritpal Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Rajesh Gupta, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab.

Mr. Amit Kumar, Advocate for respondent No. 2.

Anupinder Singh Grewal, J.(Oral)

The petitioner is seeking quashing of FIR No. 40, dated 24.04.2015, under Section 306, 34 IPC, registered at Police Station Division No. 1, District Ludhiana, as well as subsequent proceedings arising out from the said FIR on the basis of compromise, which has been arrived at between the parties.

Learned counsel for the petitioner contends that the FIR was lodged on the basis of statement of the complainant/respondent No. 2-Ranjeet Kaur, alleging therein that her husband had committed suicide. Although reference was made to a suicide note left behind by her husband but the sample of handwriting of the deceased was not provided. The matter was duly enquired by the ADCP, who had also directed the complainant to provide sample of handwriting of the deceased, which she failed to do. Learned counsel for the petitioner has also

placed reliance upon a judgment of a Coordinate Bench of this Court in CRM No. M-13349 of 2017, titled as '*Sabita Rani and others Vs. State of Haryana and another*', decided on 18.05.2017, wherein FIR under Section 306 IPC was quashed on the basis of compromise.

Learned counsel appearing for respondent No. 2 states that the complainant was not in possession of any handwriting sample of the deceased and the matter has now been compromised.

This Court vide order dated 24.07.2017 had directed the trial Court to send a report after recording the statements of the parties with regard to the genuineness of the compromise. The report of the Additional Sessions Judge, Ludhiana, dated 16.08.2017, has been received, wherein it is stated that the compromise is genuine and without any coercion or undue influence.

The allegations in the FIR were levelled against the petitioner on the basis of alleged suicide note but the same could not be authenticated for want of furnishing of handwriting sample of the deceased. The parties have compromised the matter and they want to live in peace and harmony. In view the mandate of the Hon'ble Supreme Court in the case of *Narinder Singh and others Vs. State of Punjab and another, (2014) 6 SCC 466*, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 40, dated 24.04.2015, under Section 306, 34 IPC, registered at Police

Station Division No. 1, District Ludhiana and all consequential proceedings arising therefrom are hereby quashed qua the petitioner.

August 25, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

<i>Whether speaking/reasoned?</i>	<i>Yes</i>
<i>Whether reportable?</i>	<i>No</i>