

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32635 of 2016
Date of Decision: 16.03.2017

Hunny @ Hunny Verma and othersPetitioners

Vs.

State of Punjab and othersRespondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Surinder Sharma, Advocate, for the petitioners.

Ms.Manpreet Dhaliwal, AAG, Punjab.

Mr.Vijay Lath, Advocate, for respondent Nos.2 to 6.

RITU BAHRI, J. (ORAL)

The instant petition has been filed under Section 482 of the Code of Criminal Procedure for quashing of FIR No.109 dated 10.07.2016, for the offence under Sections 323, 379, 452, 354, 427, 148, 149, 406 IPC registered at Police Station Division No.3, Jalandhar (Annexure P-1) along with all consequential proceedings arising therefrom, on the basis of compromise dated 06.08.2016 (Annexure P-2).

It was alleged by the complainant that 20/30 unidentified persons who had started abusing and entered his house and when he tried to stopped them, petitioner No.1-Hunny gave dattar blow on his left eye bro and petitioner No.2-Karanvir Singh gave punch blow near the eye of complainant and Petitioner No.3-Monu gave punch blow on the complainant. When Anita wife of Complainant came to save him petitioner No.4-Soch Chahal abused her and snatched gold chain from the neck of wife of complainant and beat with nail and on her chest. Petitioners threatened

the complainant to kill him and they broken the wash basin and TV in his house and Activa of Surinder Kumar parked in the Street. On raising hue and cry, local resident came there and saved the complainant and his family. On this background, the FIR was registered.

During the pendency of the trial, the matter has been resolved between the petitioners and respondents No.2 and 3 i.e.-Pawan Kumar and Anita respectively, vide compromise deed/memorandum of understanding dated 06.08.2016 (Annexure P-2).

In compliance with the order dated 16.09.2016 passed by this Court, the parties got recorded their statements before the trial Court. Report from the ACJM, Jalandhar, has been received in this regard. As per report, respondents No.2 and 3 i.e.-Pawan Kumar and Anita and accused-petitioners appeared before the trial Court on 17.11.2016 for getting their statements recorded in support of the compromise. In this regard statements of complainant/respondents No.2 and 3 i.e.-Pawan Kumar and Anita and accused-petitioners were recorded to the effect that they have compromised the matter and respondents No.2 and 3 i.e.-Pawan Kumar and Anita have no objection if the present FIR is quashed against these accused. Statements of accused-petitioners were also recorded to the same effect. In view of separate statements of the parties, the 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 others Vs. State of

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

Accordingly, FIR No.109 dated 10.07.2016, for the offence under Sections 323, 379, 452, 354, 427, 148, 149, 406 IPC registered at Police Station Division No.3, Jalandhar (Annexure P-1) is quashed along with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

(RITU BAHRI)
JUDGE

16.03.2017
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Whether speaking/reasoned :	Yes/No
Whether reportable	Yes/No