

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

**CRM No. M-345 of 2017
Date of decision: 23.02.2017**

Sarabjeet Kaur alias Dimple and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioners.

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

Mr. Kuldeep Singh, Advocate,
for respondent No.2.

Ritu Bahri, J.

Quashing of FIR No.60 dated 22.07.2016, under Section 306
IPC, registered at Police Station, Jhabal, District Tarn Taran (Annexure P-1)
is sought on the basis of compromise dated 28.12.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by
Sarabjeet Kaur-respondent No.2 to the effect that marriage of her son
namely Sikander Singh was solemnized with Dimple daughter of Kulwant
Singh in November, 2015. Soon after the marriage, her daughter-in-law
Dimple started quarreling with her husband Sikander Singh and other family
members. Dimple also used to quarrel with daughters of complainant
namely Gurveen Kaur and Parveen Kaur. While quarreling, she used to ask
them to die after consuming something and let her free. On 21.07.2016,
Dimple, her mother Kulwinder Kaur, brother Gurpreet Singh, maternal aunt

Paramjeet Kaur, mediator Shinder Singh and his wife came to her house at about 12:00 P.M. and started extending threats to the complainant and his daughters. Again they asked Parveen Kaur to die after consuming something. Thereafter, at about 6:00 P.M., when the complainant was milking the buffalo, her daughter Gurveen Kaur came there and told that Parveen Kaur had consumed some poisonous substance after being harassed at the hands of Dimple and her family members. Thereafter, Parveen Kaur was got admitted in Baba Deep Singh Hospital, Bhikhiwind Road, Jhabal, where she died during treatment. As per complainant, her daughter Parveen Kaur had committed suicide after having been abetted to commit suicide by her daughter-in-law Dimple and her relatives. In this background, the FIR was registered.

After registration of the FIR, with the intervention of respectable persons, the matter has now been amicably resolved between the parties vide compromise deed dated 28.12.2016 (Annexure P-2).

In compliance with the order dated 11.01.2017 passed by this Court, the parties got recorded their statements before the Illaqa Magistrate. Report from the Additional Chief Judicial Magistrate, Tarn Taran, has been received in this regard. As per report, Sarabjeet Kaur-respondent No.2 (complainant) made her statement on 14.02.2017 to the effect that she has got registered the aforesaid FIR against the accused-petitioners. Now, with the intervention of respectable persons, she has compromised the matter with accused-petitioners out of her own free will and without any coercion or pressure. She has no objection if, the above said FIR is quashed. Separate statements of Sarabjeet Kaur alias Dimple, Kulwinder Kaur, Gurpreet Singh, Paramjeet Kaur, Shinder Singh alias Sawinder Singh and

Manjeet Kaur-petitioners were also recorded to the same effect. In view of separate statements given by the parties, the court is satisfied that the compromise is valid and genuine one.

This Court in **Sucha Singh and others Vs. State of Punjab and another**, 2011 (7) RCR (Criminal) 2546, had quashed an FIR, which was registered under Section 306 IPC. In that case, mother of the deceased had given an affidavit stating therein that the deceased had two sons, aged about 10 and 12 years, which were living with their father Sukhwinder Singh and that the matter had been resolved keeping in mind the future of the children of deceased. While quashing the criminal proceedings, this Court had observed that continuation of the proceedings shall only result in wastage of time as the same was not likely to result in conviction. Further reference can be made to another judgment passed by this Court in **Sham Lal and another Vs. State of Punjab and another**, 2012 (8) RCR (Criminal) 432, wherein while quashing an FIR, which was registered under Section 306 IPC, it was observed as under:-

“8. Taking into account the allegations, compromise dated 19.02.2011 as well as affidavits of the complainant and other legal heirs as also the fact that no offence under Section 306 Indian Penal Code is made out, there is no impediment in the way of this Court to quash the present FIR and subsequent proceedings arising out of the same being misuse of the process of law.”

In the present case, mother of the deceased has made her statement that she has compromised the matter and has no objection in quashing of the FIR.

Consequently, in view of the status report; decision given by Hon'ble the Supreme Court in the case of **Madan Mohan Abbot vs. State of Punjab**, 2008(2) RCR (Criminal) 429; the law laid down by a Full Bench of

this Court in *Kulwinder Singh and Ors. vs. State of Punjab and another*, 2007(3) RCR (Cr1.) 1052 and the judgments passed in *Sucha Singh* & *Sham Lal's* cases (supra), this Court is of the view that no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.60 dated 22.07.2016, under Section 306 IPC, registered at Police Station, Jhabal, District Tarn Taran, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

23.02.2017
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable : Yes/No