

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

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Crl. Misc. M 41224 of 2016
Date of decision: 01.05.2017

Rajdeep Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

Coram: Hon'ble Mrs. Justice Rekha Mittal

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Present: Mr. Shiv Kumar Sharma, Advocate
for the petitioners

Mr. Mikhail Kad, AAG, Punjab

Mr. Vishal Deep Goyal, Advocate
for respondent No. 2

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Rekha Mittal, J.

Through the present petition filed under Section 482 of the Code of Criminal Procedure (in short, 'Cr.P.C.'), the petitioners have prayed for quashing of FIR No. 141 dated 11.06.2015 for offence punishable under Sections 406, 420, 452, 341, 382, 323, 506, 511, 499 and 500 read with Section 120-B of the Indian Penal Code (in short, 'IPC') registered with Police Station Phillaur, District Jalandhar and proceedings emanating therefrom on the basis of compromise dated 24.12.2015 (Annexure P-2) arrived at between the parties.

Counsel for the petitioners states that the parties have resolved their dispute vide compromise deed dated 24.12.2015.

Vide order dated 30.01.2017, the parties were directed to

appear before the Illaqa Magistrate to get their statements recorded with regard to genuineness of compromise.

Pursuant thereto, a report has been submitted by the Sub Divisional Judicial Magistrate, Phillaur wherein it has been reported that out of seven accused, only three accused *namely* Rajdeep Kaur, Sandeep Singh and Taljinder Kaur (petitioners No. 1 to 3) and complainant Bhagwant Singh appeared and got recorded their statements to the effect that they have voluntarily compromised the matter. Further, one accused namely Ramandeep Kaur (petitioner No. 7) has been declared as proclaimed offender.

At this stage, counsel for the petitioners submits that the instant petition may be allowed qua petitioners No. 1 to 3 only and for others i.e. petitioners No. 4 to 7, he may be allowed to withdraw the same but without prejudice to rights of petitioners No. 4 to 7 to file a fresh petition at an appropriate stage.

Accordingly, the present petition is dismissed as withdrawn qua petitioners No. 4 to 7 but without prejudice to rights of the petitioners to file a fresh petition at an appropriate stage.

Counsel for the State does not dispute genuineness of the compromise in view of report of the Court below.

Counsel for respondent No. 2 has conceded to the position.

A perusal of allegations in the FIR reveals that the present case squarely falls in that category of cases which can be quashed by the High Court, in exercise of its inherent power under Section 482 Cr.P.C. Keeping in view the authoritative enunciation of law laid down by Hon'ble the

Supreme Court in '*Gian Singh v. State of Punjab and another*', 2012(4) *R.C.R. (Criminal)* 543 and in the light of facts and circumstances of the present case, this Court is of the considered opinion that continuation of criminal proceedings would amount to abuse of process of law and it is expedient in the interest of justice that criminal proceedings are put to an end.

In this view of the matter, the petition is allowed and FIR No. 141 dated 11.06.2015 for offence punishable under Sections 406, 420, 452, 341, 382, 323, 506, 511, 499 and 500 read with Section 120-B IPC registered with Police Station Phillaur, District Jalandhar and proceedings emanating therefrom on the basis of compromise, stand quashed qua petitioners No. 1 to 3 *namely* Rajdeep Kaur, Sandeep Singh and Taljinder Kaur.

(Rekha Mittal)
Judge

01.05.2017
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Whether speaking/reasoned	:	Yes/No
whether reportable	:	Yes/No