

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6023-2016

Date of Decision:- 16.03.2017

Dalbir Singh

....Petitioner

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. Karambir Singh Kahlon, Advocate,
for the petitioner.**

Ms. Manpreet Dhaliwal, AAG, Punjab.

**Mr. Swarn Tiwana, Advocate,
for respondent No.2.**

RITU BAHRI, J. (Oral)

Present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.117 dated 25.11.2013, under Sections 354, 506 and 34 IPC, registered at Police Station Sadar Gurdaspur, on the basis of compromise dated 02.02.2016 (Annexure P-2).

Brief facts of the case are that on 23.11.2013, petitioner along with Jatinder Singh @ Sonu son of Balbir Singh had gone to the house of the complainant Paramjit Kaur, which was under construction and it is alleged that petitioner was removing earth from the boundary wall adjoining house of Jaswant Kaur wife of late Balwinder Singh and petitioner along

with other co-accused went there and caught hold of the arm of the complainant Paramjit Kaur and Jatinder Singh did the obnoxious act. The role of the petitioner is of holding the arm and nothing more than this.

Learned counsel for the petitioner submits that keeping in view the peace and harmony, the matter has now been amicably settled between the parties with the intervention of respectable persons, vide compromise dated 02.02.2016 (Annexure P-2).

During the course of preliminary hearing, the trial Court, was directed to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise dated 02.02.2016 (Annexure P-2), by way of order dated 09.01.2017, by this Court.

In compliance of order dated 09.01.2017 of this Court, the report of the Additional Civil Judicial Magistrate, Gurdaspur dated 14.03.2017 has been received. As per the report, both the parties have not turned up for recording their statement with regard to compromise.

ASI Salinder Singh, the investigating officer, has identified the complainant-Paramjeet Kaur (respondent No.2), who is present in Court.

Learned counsel for respondent No.2 has placed on the affidavit of complainant. As per her affidavit, she has compromised the matter with the intervention of well wishers, relatives and does not want to proceed with the case further.

Consequently, in view of the above-said affidavit and in view of the judgments of the Hon'ble Supreme Court in **Dr. Arvind Barsaul etc.**

Vs. State of Madhya Pradesh and another, 2008(2) RCR (Criminal)

910; Madan Mohan Abbot Vs. State of Punjab, 2008(2) RCR (Criminal)

429 and 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**, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.117 dated 25.11.2013, under Sections 354, 506 and 34 IPC, registered at Police Station Sadar Gurdaspur, and all the subsequent proceedings arising therefrom are hereby quashed, on the basis of compromise dated 02.02.2016 (Annexure P-2).

The present petition stands disposed of.

March 16, 2017
naresh.k

(**RITU BAHRI**)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No