

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

**CRM No. M-6033 of 2016
Date of decision: 22.03.2017**

Harjit Singh and others

...Petitioners

Versus

The State of Punjab and others

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. B.S. Jaswal, Advocate,
for the petitioners.

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

Mr. Ramesh Sharma, Advocate,
for respondent Nos.2 and 3.

Ritu Bahri, J.

Quashing of FIR No.232 dated 11.12.2015, under Section 306 IPC, registered at Police Station, Sadar, Tarn Taran, District Tarn Taran (Annexure P-1) is sought on the basis of compromise dated 08.02.2016 (Annexure P-2).

The F.I.R was registered on the basis of statement made by Jaswant Singh-respondent No.2 to the effect that marriage of his daughter, namely Sarbjit Kaur, was solemnized with Harjit Singh-petitioner No.1 about 14/15 years back. Out of this wedlock, four children (two sons and two daughters) were born. The in-laws of Sarbjit Kaur i.e. husband-Harjit Singh, father-in-law namely Atma Singh, mother-in-law namely Surinder Kaur and brother-in-law (*jeth*) namely Waryam Singh @ Ghukar used to

harass, humiliate and beat her. Harjit Singh was habitual of taking drugs. Whenever, Sarbjit Kaur requested him to avoid taking drugs, he and his parents used to beat her. On many occasions, village Panchayat had intervened and got the matter resolved. On 10.12.2015, Sarbjit Kaur (daughter of complainant) had come to her parental house and informed that her in-laws had separated her without giving any clothes or utensils. Thereafter, son-in-law of the complainant came there and took his daughter along with him. On 11.12.2015, Waryam Singh @ Ghukar had come to the house of complainant and informed that his daughter had died after consuming some poisonous substance. Due to the harassment at the hands of her in-laws, Sarbjit Kaur had committed suicide by consuming poisonous substance. 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 08.02.2016 (Annexure P-2).

In compliance with the order dated 19.08.2016 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, Jaswant Singh-respondent No.2 (complainant) made his statement on 03.03.2017 to the effect that he had got registered the aforesaid FIR against the accused-petitioners. Now, with the intervention of respectable persons, he has compromised the matter with accused persons namely, Harjit Singh, Atma Singh, Surinder Kaur and Waryam Singh out of his own free will and without any coercion or pressure. He has no objection if, the above said FIR is quashed. Pirar Kaur-respondent No.3 (wife of complainant) has also made a statement by

admitting the factum of compromise with the accused persons. Separate statements of Harjit Singh, Atma Singh, Surinder Kaur and Waryam Singh-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, father and mother of the deceased have made their respective statements to the effect that they have compromised the matter and have 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.232 dated 11.12.2015, under Section 306 IPC, registered at Police Station, Sadar, Tarn Taran, District Tarn Taran, is quashed with all consequential proceedings arising therefrom qua the petitioners.

The petition stands disposed of accordingly.

22.03.2017
ajp

(RITU BAHRI)
JUDGE

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