

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

**CRM-M No.10530 of 2018
Date of Decision: 17.12.2018**

Gurdeep Kaur

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Charu Verma, Advocate for
Mr. Tarunveer Vashisht, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Salinder Kumar Saini, Advocate for respondent No.2.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed praying for quashing of FIR No.227 dated 08.11.2017 (**Annexure P-1**), under Section 420 of the Indian Penal Code, registered at Police Station City, Kharar, District SAS Nagar Mohali along with all consequential proceedings arising therefrom on the basis of compromise dated 15.02.2018 (**Annexure P-2**) entered into between the parties i.e. petitioner as well as respondent No.2.

This Court on 07.09.2018 has passed the following order:-

“ Petitioner has sought for quashing of the FIR No.227 dated 08.11.2017 under Section 420 IPC, registered at Police Station City, Kharar, District SAS Nagar, Mohali on the basis of compromise entered into between the parties.

Parties are hereby directed to appear before the Trial Court/Illaq Magistrate on 09.10.2018 for getting their statements recorded with regard to the compromise arrived at between them.

The learned Trial Court is directed to indicate (i) how many total accused are facing the trial, (ii) status/stage of the trial/case, (iii) to record the statements of all the concerned parties, with regard to the genuineness and validity or otherwise of the compromise and (iv) to send its report to this Court through District and Sessions Judge, before the next date of hearing.

List this matter on 01.11.2018. ”

In terms of aforesaid order, the statements of both the parties were recorded by learned Sub Divisional Judicial Magistrate, Kharar and submitted a report dated 15.10.2018. The operative part of the same reads as under:-

' 3. From the statements made by the parties, this Court is satisfied that the complainant Iqbal Singh has entered into compromise with the accused voluntarily without any inducement, coercion or pressure etc.

4. It is further submitted that as per FIR there is only one accused namely Gurdeep Kaur w/o Iqbal Singh. Further it is submitted that challan has not been presented in the present case so far'

A perusal of the report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties in case the FIR is quashed. Even learned State Counsel, on instructions from HC Pal Chand who is present in the Court, has also no objection in case the aforesaid FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties in this case.

In view of above, this Court is fully convinced that the offence is

entirely personal in nature and does not involve any public funds and thus quashing of FIR in question along with all consequential proceedings on the basis of compromise would bring peace and harmony to secure the ends of justice. Consequently, the present petition is allowed and the aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioner.

December 17, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>