

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

CRM-M-1563-2018 (O&M)

Date of Decision:- 1.8.2018

Surinder Kaur

... Petitioner

Versus

Gurnam Kaur and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldeep Singh Chaudhary, Advocate, for the petitioner.

Mr. A.S.Sandhu, Addl. A.G. Punjab.

GURVINDER SINGH GILL, J. (Oral)

The present petition has been filed for quashing of complaint No.39 dated 21.5.2011, under Sections 406, 420, 467, 468, 471, 120-B IPC and also seeks setting aside judgment dated 31.8.2015 whereby the petitioner had been convicted for having committed the offences punishable under Sections 406, 418, 468, 471 IPC, on the ground that the matter has since been compromised amongst the parties.

Vide order dated 18.1.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded.

Report of learned Additional Sessions Judge, SAS Nagar, Mohali has been received wherein it has been reported that statement of the

petitioner as well as of Gurnam Kaur-complainant had been recorded who have stated that they have compromised the matter and that Gurnam Kaur has no objection in case the appeal is allowed and the judgment in question as well as the conviction of Surinder Kaur is set aside. It has specifically been reported by learned Additional Sessions Judge, SAS Nagar, Mohali that in his opinion the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition stands allowed and complaint No.39 dated 21.5.2011, under Sections 406, 420, 467, 468, 471, 120-B IPC and all the consequent proceedings arising therefrom are hereby quashed. Consequently, the judgment dated 31.8.2015 is also set aside.

The petition stands accepted accordingly.

August 1, 2018

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No