

CRM No. M-18966 of 2018

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

**CRM No. M-18966 of 2018
Decided on : 30.05.2018**

Beena Kumari and another

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Ms. Arti Kaur, Advocate for the petitioners.

Mr. Sidakmeet Sandhu, Assistant Advocate General, Punjab.

Mr. Rahul Bhargava, Advocate for respondent No. 2.

Anupinder Singh Grewal, J.(Oral)

The petitioners are seeking quashing of FIR No. 179 dated 15.11.2015, under Sections 306, 34 of IPC, registered at Police Station Garhshankar, District Hoshiarpur, (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise dated 18.03.2018 (Annexure P-2), which has been arrived at between the parties.

Learned counsel for the petitioners contends that the petitioner No. 1 is the mother-in-law of the deceased, while petitioner No. 2 is the wife of the deceased, who was married to him for over 15 years and they have three children. Learned counsel contends that the allegations in the suicide note do not, prima-facie, constitute an offence under Section 306 IPC and the suicide note was not sent to the handwriting expert for determining if it is in the handwriting of the deceased. In support of her

contentions, she has placed reliance upon a judgment of the Supreme Court in the case of *State of Kerala and others Vs. S. Unnikrishnan Nair and other*, (2015) 9 SCC 639. Learned counsel further submits that the matter has now been compromised.

This Court vide order dated 07.05.2018 had directed the parties to appear before the trial Court/Illaq Magistrate for recording their statements with regard to veracity of the compromise. Report of Sub Divisional Judicial Magistrate, Garhshankar, dated 16.05.2018 has been received, wherein it is stated that in pursuance to the order of this Court, statements of the parties were recorded. As per the statements, compromise is voluntary and without any pressure or coercion.

In view of submissions of the counsel for the petitioners and the law laid down in “*Narinder Singh Vs. State of Punjab*” 2014 (6) SCC 466, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 179 dated 15.11.2015, under Sections 306, 34 of IPC, registered at Police Station Garhshankar, District Hoshiarpur, (Annexure P-1) and all consequential proceedings arising therefrom, are hereby quashed qua the petitioners only.

May 30, 2018
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No