

CRM-M-23115-2017

Date of Decision:14.05.2018

Palwinder Singh and another

.....Petitioners

Vs.

State of Punjab and others

....Respondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr.P.S.Brar, Advocate,
for the petitioners.

Mr. J.S.Walia, Senior Deputy Advocate General, Punjab assisted
by ASI Bahadur Singh.

Mr.G.S.Simble, Advocate,
for respondents no.2 and 3.

AMOL RATTAN SINGH, J. (Oral)

By this petition, quashing of FIR No.166, dated 07.08.2012, is sought, registered against the petitioner at Police Station Sadar Jagraon, District Ludhiana(Rural), for the alleged commission of an offence punishable under Sections 365/34 IPC, on the basis of a compromise arrived at between the petitioners (accused) and respondents no.2 and 3, with respondent no.2 being the complainant.

Vide orders of this Court dated 02.08.2017 the parties were directed to appear before the trial Court to get their statements recorded, in terms of the compromise.

Pursuant to the said order, the report of the learned JMIC, Jagraon, has been received, to the effect that the statements of the complainant, Jaspreet Singh (respondent no.2), and also his wife Kamaljeet Kaur (respondent no.3), were recorded before that Court on 17.08.2017, saying that the matter has been compromised with the petitioners without any pressure or duress.

As per the assessment of the learned JMIC, Jagraon, the compromise effected between the parties of their own free will, without any undue pressure.

As per the affidavit of Kamaljeet Kaur also, who is alleged to have been kidnapped by the petitioners, (the said affidavit having been annexed as Annexure P-2), Kamajeet Kaur left her house of her own will on 06.08.2012, alongwith her child, and went to the house of her father, who refused to keep her and that she had “no other place to reside.”

It is finally stated in the affidavit that she was not kidnapped and she has no objection if the FIR against the petitioners is quashed.

That being so, the petition is allowed and FIR No.166 dated 07.08.2012, registered against the petitioners at police Station Sadar Jagraon, District Ludhiana (Rural), for the alleged commission of an offence punishable under Sections 365/34 IPC, alongwith all consequential proceedings emanating therefrom, is hereby quashed.

May 14, 2018

dharamvir

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO