

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

Sr. No.279

CRM-M-34180 of 2018

DECIDED ON: November 27, 2018

RAJWANT KAUR AND ANOTHER

..PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Vikas Gupta, Advocate, for the petitioners.
Mr. R.S. Bains, DAG, Punjab.
Mr. Vivek Salathia, Advocate, for respondent No.2.

SUDHIR MITTAL, J. (ORAL)

The present petition has been filed for quashing of FIR No.270, dated 23.09.2015, registered under Sections 325, 323, 34 IPC and Section 342 IPC added later on, at Police Station City Tarn Taran, District Tarn Taran (P-1) on the basis of compromise.

Pursuant to the order of this Court dated 09.08.2018, although the Chief Judicial Magistrate, Tarn Taran, submitted his report dated 13.09.2018, to the effect that the parties having compromised the matter, have no objection in case FIR in question is quashed, but at the same time, he stated that criminal proceedings in the case were got initiated by the then Chief Judicial Magistrate, Tarn Taran, who has not been made a party to the petition and in absence of her statement, the matter cannot be said to have been compromised.

A perusal of contents of the FIR shows that the actual dispute was between the petitioners and respondent No.2-Makhan Singh. Even, if the FIR as regards grievance of respondent No.2-Makhan Singh, was got registered by the Chief Judicial Magistrate, Tarn Taran and later on the former compromises the matter with the petitioners, concurrence of the

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latter who got the FIR registered, as regards compromise between the parties, is irrelevant.

Since, the parties have compromised the matter without any extraneous reasons as reported by the Chief Judicial Magistrate, Tarn Taran, vide report dated 13.09.2018, instant petition is allowed and FIR No.270, dated 23.09.2015, registered under Sections 325, 323, 34 IPC and Section 342 IPC added later on, at Police Station City Tarn Taran, District Tarn Taran (P-1) along with all consequential proceedings having arisen therefrom, is quashed qua the petitioners.

November 27, 2018

Ankur

**(SUDHIR MITTAL)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No