

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

**CRM-M No.39909 of 2018 (O&M)
Date of Decision: 15.11.2018**

Gagandeep Kaur and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Jai Bhagwan, Advocate for the petitioners.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab
for respondent No.1/State.

Mr. J.S.Lalli, Advocate for respondent Nos.2 to 4.

MAHABIR SINGH SINDHU, J. (ORAL)

Present petition has been filed praying for quashing of FIR No.223 dated 29.07.2018 (**Annexure P-1**), under Sections 346, 454, 380 and 120-B of the Indian Penal Code, registered at Police Station Division No.8, District Police Commissionerate, Ludhiana along with all consequential proceedings arising therefrom on the basis of compromise deed dated 18.08.2018 (**Annexure P-2**) entered into between the parties i.e. petitioners as well as respondent Nos.2 to 4.

This Court, on 12.09.2018, passed the following order:-

“ *Notice of motion for 12.10.2018.*

Mr. J.S. Lalli, Advocate, appears on behalf of respondent No.2. He is permitted to file vakalatnama in the Registry.

The parties are directed to appear before the trial Court/Illaq Judicial Magistrate on 28.09.2018 for getting their statements recorded with regard to the compromise arrived among 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. ”

In terms of above order, the statements of the parties were recorded by learned Judicial Magistrate 1st Class, Ludhiana and submitted a report dated 08.10.2018. The operative part of the same reads as under:-

“ It is further submitted that there are total four accused in the present FIR and challan has not yet been presented in the Court. After going through the statements of the parties i.e. petitioners and respondents, this court is of the opinion that the statements are not the result of any pressure or coercion in any manner between the parties. The compromise is a valid compromise. ”

A perusal of the aforesaid 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.

Learned State Counsel has acknowledged the above fact and further stated that he has no objection in case the present FIR as well as all other consequential proceedings are quashed on the basis of the compromise effected between the parties. Even before this Court also, there is no objection by either of the parties in case the present FIR is quashed. Also stated that even CRM-M No.37725 of 2018 titled as **“Rahil Sandhu and others Versus State of Punjab and others”** for quashing of FIR No.180 dated 23.06.2018, under Sections 328, 506, 34, IPC, registered at Police Station Division No.8, District Police Commissionerate, Ludhiana has been filed by respondent Nos.2 to 4 and now

there is no grievance left against each other, rather both the parties are residing happily.

In view of above, this Court is fully convinced that the offences are entirely personal in nature and do not affect any public peace or tranquillity 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 petitioners.

November 15, 2018

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(MAHABIR SINGH SINDHU)
JUDGE

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