

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-41732-2017

Date of decision: 09.07.2018

Shinder Kaur @ Shindo Bai

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Liaqat Ali, Advocate
for the petitioner.

Ms. Ruchika Sabharwal, AAG, Punjab

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GURVINDER SINGH GILL, J. (Oral)

Petitioner seeks quashing of FIR No. 45 dated 06.05.2003 under Sections 323/324/326/148/149 IPC, registered at Police Station Bilga, District Jalandhar and other subsequent proceedings arising therefrom on the basis of compromise.

Vide order dated 07.11.2017 this Court had directed the parties to appear before Illaqa Magistrate/trial Court for getting their statements recorded with regard to compromise, so as to ascertain genuineness of the compromise.

Today, learned AAG, Punjab has filed reply by way of affidavit of Mr. Mukesh Kumar, Deputy Superintendent of Police, Sub Division, Nakodar, District Jalandhar (Rural), which is taken on record, wherein it has been stated that upon conclusion of investigation, the final report was submitted in Court against all the accused persons except Surjit Singh and Shinder Kaur @ Shindo Bai. During trial, accused Kalu, Hardeep Singh, Paramjit Kaur, Guro, Ladoo, Lakhvir Singh, Chamkaur Singh, Kulveer Singh and Jeeto of the opposite party, have been acquitted as a result of

compromise between the parties. It has further been stated therein that accused Surjit Singh had been declared as proclaimed offender and supplementary challan was submitted in the Court on 11.11.2015 and he was also acquitted. It has further been stated that the present petitioner – Shinder Kaur @ Shindo Bai did not face trial as she did not appear and her non-bailable warrants had been issued. It has been stated that since the matter was compromised, the petitioner did not appear for further action against her.

Report of learned JMIC, Phillaur, District Jalandhar has been received, wherein it has been stated that pursuant to the order dated 07.11.2017 passed by this Court, statements of complainant Kulvir Singh as well as of injured Chamkaur Singh and of accused Shinder Kaur @ Shindo have been recorded and as per their statements, the compromise has been effected amongst them. The learned trial Court in its report has opined that the compromise arrived at between the parties appears to be genuine and had been effected voluntarily, without any pressure or coercion and with free will of the parties.

In view of the aforesaid position, this Court is satisfied that the matter has been resolved amicably. As such, the petition is hereby accepted and the FIR and all subsequent proceedings qua the petitioner are ordered to be quashed.

(GURVINDER SINGH GILL)
JUDGE

July 9, 2018
Pardeep

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No