

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

**CRM-M-512-2018
Date of decision:01.11.2018**

Satnam and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR.JUSTICE GURVINDER SINGH GILL

Present: Mr. Sumeet Puri, Advocate
for the petitioners.

Ms. Ruchika Sabherwal, AAG, Punjab.

GURVINDER SINGH GILL, J. (ORAL)

The petitioners seek quashing of FIR No.16 dated 11.02.2014 under Sections 199, 193, 465, 467, 468, 471 of Indian Penal Code, 1860 and Section 12 of Passport Act, 1967, Police Station Sadar Nabha, District Patiala and proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 21.09.2018 the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get the statements recorded with regard to the genuineness of the compromise.

Report of learned Sub-Divisional Judicial Magistrate, Nabha has been received to the effect that statements of complainant-Rekha Rani and also of the accused/petitioners namely Satnam Singh, Harbans Singh and Surjit Singh have been recorded to the effect that they have

compromised the matter out of their free will. It has specifically been opined by the learned Magistrate that the compromise is genuine and has been effected voluntarily without there being any undue influence or coercion.

Although I find that one of the offence in the present case is an offence under Section 12 of Passport Act, 1967 but the present case is a case where the matter initially arose out of the matrimonial discord amongst complainant-Rekha Rani and her husband Satnam Singh. It has since been resolved and parties are residing together at Nabha, as has been stated specifically by learned counsel for the petitioners. Under these circumstances it would certainly be in the fitness of things if the FIR be quashed so that cordiality can be maintained and the parties can lead their life happily.

In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the petition is allowed and FIR No.16 dated 11.02.2014 under Sections 199, 193, 465, 467, 468, 471 of Indian Penal Code, 1860 and Section 12 of Passport Act, 1967, Police Station Sadar Nabha, District Patiala and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

(GURVINDER SINGH GILL)
JUDGE

01.11.2018
Gaurav Sorot

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No