

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

CRM-M-5386-2018 (O&M)

Date of Decision:-26.9.2018

Karamjit Kaur alias Puchar Kaur alias Kundan and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Dr. Mewa Singh, Advocate for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J.(Oral)

By way of filing this petition, the petitioners seek quashing of FIR No.0195 dated 19.8.2017 registered under Sections 406, 420 and 120-B of Indian Penal Code, 1860 and Section 24 of Immigration Act at Police Station Derabassi, District S.A.S. Nagar and all consequential proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

At the very outset, it needs to be mentioned that although three persons were arrayed as accused in the FIR in question and who had all filed the present petition but subsequently petitioner No.3-Maninder Singh was reported to have died as has been reported by learned Sub-Divisional Judicial Magistrate, Dera Bassi.

On the last date of hearing, the learned State counsel had also sought time to verify the said fact.

Today, upon instructions from ASI Narinder Singh, who is present in Court, it has been confirmed that petitioner No.3-Maninder Singh has indeed expired.

Vide order dated 8.2.2018, the parties had been directed to appear before the trial Court/Illaq Magistrate so as to get their statements recorded qua the factum of compromise.

Report of learned Sub-Divisional Judicial Magistrate, Dera Bassi has been received, wherein it has been reported that the statements of the complainant Daljit Kaur and also of the accused/petitioners Karamjit Kaur alias Puchar Kaur alias Kundan and Kuldeep Singh have been recorded, who have stated that they have compromised the matter amongst themselves amicably. The complainant Daljit Kaur has specifically stated that she has no objection in case the FIR is quashed. It has specifically been opined that the parties have entered into compromise voluntarily and without there being any pressure, coercion or undue influence.

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 present petition is allowed and FIR No.0195 dated 19.8.2017 registered under Sections 406, 420 and 120-B of Indian Penal Code, 1860 and Section 24 of Immigration Act at Police Station Derabassi, District S.A.S. Nagar and all the consequent proceedings arising therefrom are hereby quashed qua the petitioners.

26.9.2018

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No