

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CRM-M-3116-2019

Date of Decision: September 04,2019

Arshdeep Kaur @ Ashu and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. Vikas Gupta, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

Hari Pal Verma, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.157 dated 20.10.2016, registered under Sections 313/314 of IPC at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise deed dated 13.03.2018 (Annexure P-2).

This Court vide order dated 24.01.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Additional Chief Judicial Magistrate, Tarn Taran and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 25.03.2019 to the effect that the

compromise is genuine and has been effected between the parties with their free-will.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Jarman Singh but no prejudice would be caused to him as he had already suffered a statement with regard to compromise before learned Magistrate on 28.02.2019. The same is reproduced as under:-

“Stated that I have compromise the matter with Accused (1) Arshdeep Kaur @ Ashu w/o Jarman Singh, (2) Rita Rani w/o Pritam Singh, (3) Inderjeet Kaur w/o Harjit Singh and (4) Jagtar Singh s/o Makhan Singh, in FIR No. 157 dated 20.10.2016, under Section 313/314 IPC, P.S. Sadar, Tarn Taran, with the intervention of respectable persons. The original compromise is attached with the quashing petition pending before the Hon'ble High Court, Chandigarh, Copy of my Aadhar Card is Mark 'E'. The above said compromise is genuine and is without any pressure and coercion or undue influence. I and above named accused persons shall live peacefully in future. I have no objection if the present FIR may kindly be quashed on basis of compromise.”

At this stage, counsel for the petitioners states that pursuant to the compromise so entered between the parties, petitioner No.1 and respondent No.2 are staying together as husband and wife and after registration of the FIR, they have blessed with a child also.

Learned State counsel does not dispute the factum of compromise effected between the parties.

Considering the fact that petitioner no.1 and respondent no.2 are staying together as husband and wife, no useful purpose would be

served to continue with the proceedings before the trial Court in the instant FIR.

Accordingly, following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and F.I.R. 157 dated 20.10.2016, registered under Sections 313/314 of IPC at Police Station Sadar Tarn Taran, District Tarn Taran (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise deed dated 13.03.2018 (Annexure P-2).

September 04, 2019
vkd

(Hari Pal Verma)
Judge

Whether speaking / reasoned : Yes / No

Whether reportable : Yes / No