

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

CRM-M-4394-2019 (O&M)

Date of decision:20.03.2019

Joginder Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. Rahul Bhargava, Advocate
 for the petitioners.

 Mr. K.S.Aulakh, DAG, Punjab
 for respondent No.1-State.

 Mr. Ruhani Chadha, Advocate
 for respondent No.2

RAJBIR SEHRAWAT, J. (ORAL)

Prayer in this petition filed under Section 482 of Cr.P.C. is for quashing of FIR No.128, dated 27.09.2009, registered under Sections 420, 34 of IPC, at Police Station Anandpur Sahib, District Roop Nagar and all subsequent proceedings arising therefrom, on the basis of compromise.

Vide order dated 30.01.2019, the case was sent to the trial Court/Illaq Magistrate for recording of the statement of the parties qua the genuineness of the compromise and to submit a report in that regard. Now the report has been received from the Sub-Divisional Judicial Magistrate, Sri Anandpur Sahib, dated 16.02.2019, in which, it is stated that the police had already filed a cancellation report in the matter. The said cancellation report already stood accepted by the concerned Magistrate, vide order dated 28.09.2011. Thereafter, the police have even weeded out the record of that case as per the order of Senior Superintendent of Police, Rupnagar, dated 08.01.2019.

In view of the above, the FIR, which was sought to be quashed in the petition, no more survives. But the complainant could still have some grouse. In that situation some ancillary orders might have to be passed. However, the complainant has also made a statement before the Magistrate, which is reiterated by his counsel before this Court, that he has no grudge against the petitioner. Learned counsel for the respondent submits that since the matter stands compromised with the accused, therefore, he would not file even the private complaint regarding the incident involved in the FIR.

Learned counsel for the petitioner submits that with this amicable settlement, the present petition does not survive any more.

Accordingly, the present petition is disposed of as having been rendered infructuous, in view of the above facts and the undertaking given by the complainant.

Disposed of accordingly.

(RAJBIR SEHRAWAT)
JUDGE

20.03.2019

Hemlata

Whether speaking/reasoned Yes / No

Whether reportable Yes / No