IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-27807 of 2018 (O&M)

Date of decision: October 01, 2019

Rajinder Kaur and others

.. Petitioners

Versus

State of Punjab and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. B.S. Bhalla, Advocate
for the petitioners.

Mr. Amitoj Singh Dhaliwal, DAG, Punjab.

Mr. S.S. Tiwana, Advocate
for respondent No.2.

SURINDER GUPTA, J.(Oral)

The petitioners have filed this petition under Section 482 Code of Criminal Procedure (for short, 'Cr.P.C.') seeking quashing of FIR No.92 dated 07.12.2015 (Annexure P-7), registered for offences punishable under Sections 306, 109 of Indian Penal Code (for short 'IPC') at Police Station Bhadson, District Patiala, along with all consequential proceedings arising therefrom.

As per case of the prosecution, there was matrimonial dispute between petitioner No.1 and respondent No.2. Due to the litigations filed by petitioner No.1, respondent No.2 attempted to commit suicide by consuming some medicines, however, he was saved with timely medical aid.

After filing the present petition, the matter has since been amicably settled vide compromise dated 28.09.2018, copy of which has

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been placed on file.

Learned counsel for the petitioners submits that there was matrimonial dispute between petitioner No.1 and respondent No.2, which has now been resolved with the intervention of friends and relatives. Both have now separated and have decided to lead peaceful life by withdrawing all the cases filed against each other.

Learned counsel for respondent No.2-complainant, on instructions from respondent No.2-complainant, who is present in Court today, endorses the submission of learned counsel for the petitioners and submits that respondent No.2-complainant has no objection if the impugned FIR (Annexure P-7) is quashed.

Learned State counsel has also not disputed the compromise.

In order to verify the veracity and genuineness of the settlement between the parties, they were directed to appear before the trial court and get their statements recorded. The trial court has sent copies of statements of parties and its report dated 06.07.2019, stating therein that the compromise has been effected between the complainant and the accused which appears to be voluntary, genuine and and without any pressure or coercion.

Keeping all the above facts in view, I am of the considered opinion that it is a fit case in which the impugned FIR should be quashed. Keeping the case pending will not serve the ends of justice. The quashing of the FIR will provide the parties to this petition an opportunity to live in an amicable, peaceful and harmonious atmosphere which is not only in the interest of the parties but also for their families and ultimately the society at large.

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For the reasons as discussed above, the instant petition is allowed and the impugned FIR No.92 dated 07.12.2015 (Annexure P-7), registered for offences punishable under Sections 306, 109 IPC at Police Station Bhadson, District Patiala, along with all consequential proceedings arising therefrom, qua petitioners, is quashed.

(SURINDER GUPTA)
JUDGE

October 01, 2019
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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No

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