

292/A.

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

CRM-M-23891-2019

Date of decision: 19.08.2019

SHEHNAZ KHATOON AND ORS.

... Petitioners

versus

STATE OF PUNJAB AND ORS.

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: None for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab,
for respondent No.1.

None for respondents No.2 to 4.

HARI PAL VERMA, J. (Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of DDR No.41 dated 30.05.2018 under Sections 323/341/506/34 of IPC, Police Station Haibowal, District Ludhiana (Annexure P-2) in F.I.R. No.69 dated 30.05.2018 registered under Sections 323/354-A/451/506/34 of IPC at Police Station Haibowal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise/settlement dated 04.01.2019 (Annexure P-2).

This Court vide order dated 27.05.2019 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 Judicial Magistrate Ist Class, Ludhiana and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 15.07.2019 to the effect that the compromise is genuine and has been effected between the parties without any pressure or coercion in any manner.

Though today none has put in appearance on behalf of respondent No.2-complainant, namely, Puneet Partap Singh as well as Bunty @ Vineet Partap Singh (respondent No.3), but no prejudice would be caused to them as they have already made a joint statement with regard to compromise before learned Magistrate on 03.07.2019. The same is reproduced as under:-

“Stated that we have registered a DDR No.41 dated 30.05.2018, U/s 323, 341, 506, 34 of IPC, P.S. Haibowal against accused Shehnaz Khatoon, Amzad, Shamshed and Raman Passi and now with the intervention of respectable members that the matter has been compromised and we have giving statement without any pressure or coercion and we have no objection if the present DDR be quashed.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant case.

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 DDR No.41 dated 30.05.2018 under Sections 323/341/506/34 of IPC, Police Station Haibowal, District Ludhiana (Annexure P-2) in F.I.R. No.69 dated 30.05.2018 registered under Sections 323/354-A/451/506/34 of IPC at Police Station Haibowal, District Ludhiana (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioners on the basis of compromise/settlement dated 04.01.2019 (Annexure P-2), however, that would be subject to payment of costs of Rs.5,000/- to be deposited with the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh, within one month from today.

(HARI PAL VERMA)
JUDGE

19.08.2019
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No