

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-25873-2019 (O&M)

Date of Decision:-21.8.2019

Mohd. Irfan

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Naveen Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab.

Mr. Munish Gulati, Advocate for respondent No.2.

GURVINDER SINGH GILL, J.(Oral)

The petitioner has approached this Court seeking quashing of FIR No.69 dated 27.4.2019 registered at Police Station Sarabaha Nagar, District Ludhiana under Sections 376 and 506 of Indian Penal Code, 1860 and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

Vide order dated 31.5.2019, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise.

Report of learned Chief Judicial Magistrate, Ludhiana has been received, wherein it has been reported that statements of petitioner/accused

Mohd. Irfan and also of complainant Parvin Begam have been recorded to the effect that they have compromised the matter amongst themselves with the intervention of respectables and they have no objection in case the FIR is quashed. The complainant Parvin Begam stated to the following effect:-

“Stated that I have got the present FIR No.69 dated 27.04.2019, U/S. 376, 506 IPC, P.S. Sarabha Nagar, Ludhiana, registered against accused namely Mohd. Irfan son of Munne Baksh. I had love affair with the accused Mohd. Irfan, but my family members were against my love marriage with the accused and due to some misunderstanding the present FIR was got lodged by me against accused. Now, I have compromised the matter with the accused, with the intervention of respectable persons of the locality, voluntarily and without any pressure or coercion on the part of anybody. I have solemnised love marriage with the accused Mohd. Irfan on 04.05.2019 as per Muslim rites and ceremonies. Now, I have no dispute with the accused and we are living happily together as husband and wife. I have also executed an affidavit regarding compromise with accused which is Ex.C1. The copy of my voter identity card is Ex.C2. I do not want to pursue FIR No.69 dated 27.04.2019, U/S. 376, 506 IPC, P.S. Sarabha Nagar, Ludhiana and I have got no objection in case the present FIR is quashed against the accused Mohd. Irfan.”

The learned Chief Judicial Magistrate, Ludhiana has specifically opined that the parties have entered into compromise voluntarily 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.69 dated 27.4.2019 registered at Police Station Sarabaha Nagar, District Ludhiana under Sections 376 and 506 of Indian

Penal Code, 1860 and all subsequent proceedings emanating therefrom are hereby quashed qua petitioner.

21.8.2019

pankaj

(Gurvinder Singh Gill)
Judge

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No