

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

226

CRM-M-36440-2019

Date of decision : 15.11.2019

Jyoti

... Petitioner

Versus

State of Punjab and another

.. Respondents

CORAM :HON'BLE MR.JUSTICE ANUPINDER SINGH GREWAL

Present:- Ms. Suminderdeep Kaur, Advocate for the petitioner.

Mr. K.K. Bheniwala, Addl. A.G., Punjab.

Ms. Sumanpreet Aulakh, Advocate for
Mr. Rajiv K. Kapila, Advocate for respondent No.2.

Anupinder Singh Grewal, J. (Oral)

The petitioner is seeking quashing of FIR No.0041 dated 08.05.2019, under Sections 323, 324, 326 and 34 IPC, registered at Police Station Dhariwal, District Gurdaspur on the basis of compromise dated 25.07.2019 (Annexure P-2) which has been arrived at between the parties.

Learned counsel for the petitioner contends that the FIR is an outcome of a sudden quarrel between the parties on account of matrimonial dispute between the petitioner and respondent No.2. The petitioner is the wife and respondent No.2 is her husband and they have settled all their differences and are residing amicably at their matrimonial home. She has referred to the copy of the compromise arrived at between the parties at Annexure P-2. She also contends that the injured has fully recovered from the injuries and only a stick was used in the incident.

Learned counsel for the complainant states that the matter has indeed been compromised and the parties are residing peacefully.

A Coordinate Bench of this Court vide order dated 11.09.2019 had directed the parties to appear before the trial Court for recording their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Chief Judicial Magistrate, Gurdaspur dated 17.10.2019 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

In view of the law laid down by the Supreme Court in the cases of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466** and **Gian Singh vs. State of Punjab and another, 2012 (10) SCC 303**, no useful purpose will be served by continuing the criminal proceedings. It would, thus, be in the interest of justice to quash the FIR. Consequently, the petition is allowed and FIR No.0041 dated 08.05.2019, under Sections 323, 324, 326 and 34 IPC, registered at Police Station Dhariwal, District Gurdaspur and all consequential proceedings are hereby quashed qua the petitioner.

(ANUPINDER SINGH GREWAL)
JUDGE

November 15, 2019

sonia gugnani

Whether speaking/reasoned	:	Yes
Whether Reportable	:	Yes/No