

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

(1) CRM-M-3405 of 2019.  
Decided on:- March 06, 2020.

Robin.

.....Petitioner.

Versus

State of Punjab and another

.....Respondents.

(2) CRM-M-3660 of 2019.

Randeep Kaur and others

.....Petitioners.

Versus

State of Punjab and another

.....Respondents.

**CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA.**

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Present:- Ms. Srishti, Advocate for  
Mr. K.B. Raheja, Advocate  
for the petitioner in CRM-M-3405 of 2019 and  
for respondent No.2 in CRM-M-3660 of 2019.

Mr. Hittan Nehra, Addl. A.G., Punjab.

None for respondent No.2 in  
CRM-M-3405 of 2019.

None for the petitioners in  
CRM-M-3660 of 2019.

**HARI PAL VERMA, J. (Oral)**

This order shall dispose of the aforementioned two petitions filed under Section 482 Cr.P.C. as the same have arisen out of the common FIR No.91 dated 12.09.2018 under Sections 354 and 354-D IPC registered at Police Station City-2, Abohar, District Fazilka.

The petition i.e. **CRM-M-3405 of 2019** titled as **Robin Versus State of Punjab and another** has been filed for quashing of the aforesaid FIR

and all subsequent proceedings arising therefrom, whereas another petition i.e. *CRM-M-3660 of 2019* titled as *Randeep Kaur and others Versus State of Punjab and another* has been filed for quashing of the cross-version i.e. DDR No.2 dated 13.09.2018 under Sections 336, 323, 341, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 recorded in the aforesaid FIR and all subsequent proceedings arising therefrom on the basis of compromise dated 02.01.2019.

However, for convenience and clarity, the detailed order is being passed in the petition bearing No. *CRM-M-3405 of 2019* titled as *Robin Versus State of Punjab and another*.

This Court vide order dated December 03, 2019 had directed the parties to appear before the trial Court/Illaq Magistrate to get their respective statements recorded with regard to compromise and the Court was directed to send its report qua genuineness of the compromise.

Pursuant to the aforesaid order, the parties have appeared before learned Judicial Magistrate 1<sup>st</sup> Class, Abohar and got their statements recorded on 18.01.2020. On the basis of the statements so recorded by the parties, learned Magistrate has submitted the report dated 28.01.2020 to the effect that the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence.

The FIR in question has been recorded on the basis of statement of respondent No.2-complainant Randeep Kaur. Though none has put in appearance on her behalf, but it would not cause any prejudice to her as she along with Gagandeep Kaur and Nirmal Singh, who are petitioners No.2 and 3 in connected petition i.e. CRM-M-3660 of 2019, has already made a joint

statement in support of compromise before learned Magistrate on 18.01.2020, which reads as under:

*“Stated that an FIR no.91/2018 U/s 354 and 354-D IPC was registered against Robin S/o Choth Mal on the statement of Randeep Kaur W/o Nirmal Singh R/o Kothi Faiz, Abohar. A rapat no.2 dated 13.09.2018 was also registered against Randeep Kaur W/o Nirmal Singh, Gagandeep Kaur W/o Gurbhag Singh and Nirmal Singh S/o Jarnail Singh are resident of Kothi Faiz, Abohar on the statement of above said Robin. A compromise has been effected between us and applicant Robin regarding above said FIR and the rapat no.2. This compromise was effected between us and above said Robin without any pressure, without any influence with the free will of both the parties. We and the above said Robin do not want to proceed the above said cases against each other as per compromise. We have no objection if the proceedings conducted by the Police against each other are quashed by the Hon’ble Punjab and Haryana High Court, Chandigarh. We have also brought our Aadhar Cards today in the Court. The self attested copy of Aadhar card of Nirmal Singh is Ex.A1, self attested copy of Aadhar card of Gagandeep Kaur is Ex.A2 and self attested copy of Adhar card of Randeep Kaur is Ex.A3.”*

Similarly, petitioner Robin has also made a statement in support of compromise before learned Magistrate on 18.01.2020.

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

In view of the above, continuation of the proceedings before the trial Court in the FIR qua petitioner Robin in **CRM-M-3405 of 2019** as well as in the DDR qua petitioners Randeep Kaur, Gagandeep Kaur and Nirmal Singh in **CRM-M-3660 of 2019** shall be an abuse of the process of law.

Thus, 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***, the present petitions are allowed and the FIR No.91 dated 12.09.2018 under Sections 354 and 354-D IPC registered at Police Station City-2, Abohar, District Fazilka (Annexure P-1) and all consequential proceedings arising therefrom including the DDR No.2 dated 13.09.2018 under Sections 336, 323, 341, 148 and 149 IPC as well as Sections 25 and 27 of the Arms Act, 1959 recorded in the aforesaid FIR are quashed qua the petitioners in both the petitions on the basis of compromise dated 02.01.2019 (Annexure P-2), however, subject to payment of costs of Rs.5000/- by petitioner Robin in ***CRM-M-3405 of 2019*** and Rs.5,000/- by petitioners Randeep Kaur, Gagandeep kaur and Nirmal Singh in ***CRM-M-3660 of 2019*** to the Poor Patients' Welfare Fund of the Postgraduate Institute of Medical Education and Research (PGIMER), Chandigarh within a period of one month from today.

Photocopy of this order be placed on the file of other connected case.

**March 06, 2020**  
Yag Dutt

**(HARI PAL VERMA)**  
**JUDGE**

Whether speaking/reasoned: Yes

Whether Reportable: No