

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CRM-M-45938-2018
Date of Decision: 12.02.2020

Jashanpreet Singh @ Jashan

...Petitioner(s)

Versus

State of Punjab & Ors.

...Respondent(s)

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent:- Mr. P.B.S.Goraya, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

Instant petition has been filed under Section 482 Cr.PC for quashing of FIR No.50 dated 23.06.2018 under Sections 363, 366-A registered at Police Station Tarsikka, District Amritsar and the consequential proceedings arising out of the same, on the basis of compromise arrived at, between the parties.

Learned counsel for the petitioner submits that the daughter of the complainant who is minor aged about 17 ½ years solemnized marriage with the petitioner against the wishes of her family. Resultantly the instant FIR came to be lodged against the petitioner. It has also been contended that after their marriage both the petitioner and the daughter of the complainant had approached this court by way of CRM-M-27631-2018 (Annexure P-1) seeking protection of their life and liberty.

Keeping in view of the facts and circumstances, this Court vide order dated 06.05.2019 directed the parties to appear before the Illaqa Magistrate within 15 days from the date of passing of the order to get their statements recorded regarding the compromise arrived at between the parties stands admitted.

Report has since been received from the SDJM Baba Bakala Sahib, District Amritsar along with statements of the parties in original,

wherein the factum of a compromise having been arrived at between the parties stands admitted.

Learned State counsel on instructions from ASI Heera Singh does not controvert the factum of compromise having been arrived at between the parties. He further submits that there are no accused other than the petitioner and respondent No.2 & 3 are the only aggrieved persons in the FIR in question.

In view of the report of the learned SDJM Baba Bakala Sahib, District Amritsar and the principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed qua the petitioner.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

February 12, 2020
Sunil Devi

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking / reasoned?
Whether reportable?

Yes / No
Yes / No