

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

CRM-M-25424-2020 (O&M)

Date of decision: 09.10.2020

Satnam Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Charandeep Singh, Advocate,
for the petitioners.

Mr. M.S. Dullat, Addl. A.G., Punjab.

Mr. Kanhiya Soni, Advocate,
for the complainant (respondent No.2).

Ritu Bahri, J.

Short reply by way of affidavit of Deputy Superintendent of Police, Dinanagar, District Gurdaspur, has been filed through email. Same is taken on record.

Quashing of FIR No. 08 dated 22.01.2020, under Sections 452/324/323/506/427/148/149 IPC (Section 326 IPC added later on), registered at Police Station, Dorangla, District Gurdaspur (Annexure P-1) and subsequent proceedings arising therefrom, are being sought on the basis of compromise dated 20.02.2020 (Annexure P-2).

FIR (Annexure P-1) was registered on the basis of statement made by Davinder Singh-respondent No.2 to the effect that his sister Manjit Kaur, aged about 26 years, was married to Angrej Singh-petitioner No.2. On 20.01.2020, at about 8.00 P.M., he (complainant) and his sister Manjit Kaur were present at home. In the meantime, Satnam Kaur, armed with stick,

Angrej Singh, armed with sharp weapon, Jagtar Singh, armed with baseball along with two unidentified persons, entered their house and started abusing the complainant and his sister Manjit Kaur. Thereafter, they attacked and inflicted injuries on the person of complainant with their respective weapons. When his sister Manjit Kaur tried to save the complainant, she was also given beatings by the accused persons. Complainant and his sister raised hue and cry, whereupon their paternal uncle Kulwant Singh came at the spot. On seeing him, accused-petitioners ran away from the spot along with their respective weapons. In this background, the FIR was registered.

Now, with the intervention of respectable persons, the matter has been compromised between the parties vide compromise deed dated 20.02.2020 (Annexure P-2), which has been duly signed by complainant-Davinder Singh (respondent No.2) as well as petitioners Satnam Kaur, Angrej Singh and Jagtar Singh. In this regard, Davinder Singh-respondent No.2 (complainant) has also given an affidavit dated 17.02.2020 (Annexure P-3), whereby he has admitted the contents of compromise.

Today, learned State counsel, on instructions from Mahesh Kumar, Deputy Superintendent of Police, Dinanagar, District Gurdaspur, informs that the compromise has been effected between the parties. This fact has also been mentioned in the reply, which has been filed through email in this Court. Learned counsel for complainant-Davinder Singh (respondent No.2) has also put in appearance and states that as per compromise dated 20.02.2020 (Annexure P-2), the matter has been amicably resolved between the parties.

A perusal of the compromise deed dated 20.02.2020 (Annexure P-

2) and affidavit dated 17.02.2020 (Annexure P-3) given by Davinder Singh-complainant, shows that compromise has been effected voluntarily, without any pressure, coercion and with free will of the parties. They have no objection if the F.I.R. (Annexure P-1) is quashed. Photocopy of Aadhaar card of Davinder Singh-complainant (respondent No.2) has been attached as Annexure P-4.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 20.02.2020 (Annexure P-2), whereby they have decided to get the F.I.R. quashed, it is a fit case where there is no impediment in the way of the Court to exercise its inherent powers under Section 482 Cr.P.C for quashing of F.I.R in the interest of justice. Consequently, in view of the judgments passed by the Hon'ble Supreme Court in *Madan Mohan Abbot vs. State of Punjab* 2008(4) S.C.C. 582 and the law laid down by the Full Bench of this Court in the case of *Kulwinder Singh and Ors. vs. State of Punjab and another* 2007(3) RCR (Crl.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No. 08 dated 22.01.2020, under Sections 452/324/323/506/427/148/149 IPC (Section 326 IPC added later on), registered at Police Station, Dorangla, District Gurdaspur, is quashed with all consequential proceedings arising therefrom qua the present petitioners.

Petition stands allowed accordingly.

09.10.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No