

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

Crl. Misc. No. M-25393 of 2020

Date of decision : 02.09.2020

Kartar Singh and others

.....Petitioners

versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Veneet Sharma, Advocate
for the petitioners

RITU BAHRI, J. (Oral)

Quashing of FIR No. 59 dated 26.07.2014 under Sections 452/326/323/148/149 IPC, registered at Police Station Khem Karan, District Tarn Taran, is being sought on the basis of compromise deed dated 16.12.2019 (Annexure P-2).

Notice of motion.

On asking of the Court, Mr. Hittan Nehra, Addl.A.G, Punjab and Mr. Deepak Aggarwal, Advocate accepts notice on behalf of the respondent-State and respondent No. 2 respectively.

Respondent No. 2 got married in the year 2012 with Sandeep Kaur. The in-laws family of respondent No. 2 took away Sandeep Kaur with them with their own wish. On 22.07.2014, when respondent No. 2 and his mother Surinder Kaur were present in the house, the father in law of respondent No. 2 Kartar Singh and his son Harcharan Singh alias Jetha armed with kirpan, brother-in-law Kuldeep Singh armed with Sotta, Sardool Singh alias Dulla empty handed came to his house and raised lalkara. They

attacked respondent No. 2 with their weapons. Respondent No. 2 then raised noise and his mother saved him from them. On noise being raised, they ran away from the spot along with their weapons. In this background, F.I.R was registered against the petitioners.

However, the matter has now been duly compromised, on the basis of compromise deed dated 16.02.2019 (Annexure P-2).

Learned counsel for the complainant has sent a copy of the proof of the complainant i.e Aadhar card, which is taken on record as Annexure A-1.

Learned State counsel on instructions from ASI Dilbagh Singh has informed the Court that there is no cross case, no P.O proceedings are pending and out of 09 witnesses, 05 have already been examined.

Keeping in view prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 16.02.2019 (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 judgment of the Hon'ble Supreme Court in cases of Madan Mohan Abbot vs. State of Punjab 2008(2) RCR (Criminal) 429 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. 59 dated 26.07.2014 under Sections 452/326/323/148/149 IPC, registered at Police Station Khem Karan, District

Tarn Taran is quashed along with all consequential proceedings arising

therefrom qua petitioners.

The petition stands disposed of.

02.09.2020
G Arora

(RITU BAHRI)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>