

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25625-2020(O&M)

Date of Decision: 02.09.2020

Shinderpal & ors.

.....Petitioners

Vs.

State of Punjab & anr.

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr. HS Batth, Advocate, for the petitioners.

RITU BAHRI, J. (ORAL)

Quashing of FIR No.89 dated 14.06.2020, under Sections 452/380/427/323/34 IPC, registered at Police Station, Kacha Pacca, District Tarn Taran (Annexure P-1) along with all consequential proceedings is sought on the basis of compromise dated 12.08.2020 (Annexure P-2).

The F.I.R was registered on the basis of complaint made by Karamjit Kaur-respondent No.2 to the effect that she was running a grocery shop from her house and along with that in order to running her livelihood, selling vegetables. The present petitioners, who are her son, daughter-in-law, grandson and the son of her brother-in-law, gave her beatings by entering into her house and broke her shop and took money from her. In this background, the FIR was registered.

Now, with the intervention of respectable persons, the matter has been compromised between the parties. In this regard complainant-

Karamjit Kaur-respondent No.2 has given her affidavit dated 14.08.2020

(Annexure P-3) by admitting the contents of compromise.

Notice of motion.

On the asking of the Court, Mr. Hittan Nehra, Addl. AG, Punjab, accepts notice on behalf of respondent-State.

Mr. Gaurav Kalsi, Advocate, has put in appearance on behalf of respondent No.2 and accepts notice.

Learned State counsel, on instructions from ASI Kulwant Singh, informs that nobody has been declared Proclaimed Offender and no challan is presented. There is no cross-version recorded. Learned State counsel has verified that the compromise has been effected between the parties.

A perusal of the compromise deed dated 12.08.2020 (Annexure P-2) and affidavit dated 14.08.2020 (Annexure P-3) shows that the 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 Karamjit Kaur has been attached.

Keeping in view the prevailing COVID-19 situation and the fact that the compromise has been effected between the parties vide compromise deed dated 12.08.2020 (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 (CrI.) 1052, no useful purpose would be served in prolonging the litigation.

Accordingly, FIR No.89 dated 14.06.2020, under Sections 452/380/427/323/34 IPC, registered at Police Station, Kacha Pacca, District Tarn Taran (Annexure P-1) is quashed with all consequential proceedings arising therefrom qua the petitioners.

Petition stands allowed accordingly.

(RITU BAHRI)
JUDGE

02.09.2020
monika

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*