

(Through Video Conferencing)

CRM-M-27849 of 2020

Date of Decision: 09.10.2020

Jagdeep Singh @ Soni and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MS. JUSTICE NIRMALJIT KAUR

Present: Ms. Pinky Bangarh, Advocate for the petitioners.

Mr. I.P.S. Doabia, Addl. Advocate General, Punjab.

Mr. Krishan Kumar Thakur, Advocate,
for respondent No.2.**NIRMALJIT KAUR, J. (ORAL)**

Prayer in the present petition filed under Section 482 Cr.P.C. is for quashing of FIR No.67 dated 19.06.2015, under Sections 498-A and 406 of IPC, registered at Police Station Sadar Faridkot, District Faridkot and all other consequential proceedings arising therefrom on the basis of compromise, dated 25.02.2020, Annexure P-2.

Vide order dated 15.09.2020, Coordinate Bench of this Court directed the parties to appear before the trial Court/Area Magistrate for getting their statements recorded with regard to the compromise and genuineness of the compromise.

The report of the Additional Chief Judicial Magistrate, Faridkot has been forwarded by learned District and Sessions Judge, Faridkot vide his forwarding letter No. 2117/EB dated 25.09.2020. As per report of the Additional Chief Judicial Magistrate, dated 24.09.2020, the parties have

compromised the matter. The report of the Additional Chief Judicial

Magistrate, is as under:-

“From the statement of the parties and the investigating officer ASI Buta Singh No.826/FDK, as recorded on 22.09.2020 and 24.09.2020 respectively and the detailed report of Additional/Criminal Ahlmad, the point-wise information is furnished as under:-

1. There was three accused arrayed in the FIR i.e. (i) Jagdeep Singh @ Soni son of Paramjit Singh (ii) Paramjit Singh @ Pamma son of Naranjan Singh and (iii) Baljeet Kaur wife of Naranjan Singh.
2. As per the statement of the parties, report of Additional Ahlmad and statement of investigating officer, none of the accused persons is proclaimed offender.
3. From the statement of complainant Amandeep Kaur, it appears that she has compromised the matter with the accused persons, named above, genuinely, voluntarily and without any coercion or undue influence.
4. As per the statement of the parties and investigating officer, none of the accused persons is involved in any other case.
5. As per the report of Additional Ahlmad, the accused persons named above, have stood convicted on 17.07.2019 and now the matter is pending in first appeal for 25.09.2020 before learned Sessions Judge, Faridkot.

It is further humbly submitted that as per the statement of investigating officer, recorded on 24.09.2020, there was no other victim/complainant in the FIR except the complainant Amandeep Kaur.”

In view of the above, it is evident that the compromise is genuine.

Hon'ble Supreme Court in the case of **Madan Mohan Abbot vs State of Punjab**, 2008 (2) RCR (Criminal) 429, observed as under:-

“We need to emphasize that it is perhaps advisable that in disputes where the question involved is of a purely personal nature, the Court should ordinarily accept the terms of the compromise even in criminal proceedings as keeping the matter alive with no possibility of a result in favour of the prosecution is a luxury which the Courts, grossly overburdened as they are, cannot afford and that the time so saved can be utilized in deciding more effective and meaningful litigation.”

That a Five Judge Bench of our own High Court in **Kulwinder Singh and others Vs State of Punjab and another**, 2007 (3) RCR (Criminal) 1052, too stated that “the compromise, in a modern society, is the sine qua non of harmony and orderly behavior. It is the soul of justice and if the power under Section 482 of the Cr.P.C. is used to enhance such a compromise which in turn, enhances the social amity and reduces friction, then it truly is “finest hour of justice”.

The learned counsel for the complainant confirms the compromise and stated that she has instructions to state that the complainant has no objection, if the FIR is quashed.

In view of the above, this Court has no inhibition in accepting the compromise and to quash the FIR on the basis of said compromise.

Accordingly, the present petition is allowed and the FIR No.67 dated 19.06.2015, under Sections 498-A and 406 of IPC, registered at Police

Station Sadar Faridkot, District Faridkot, and all other consequential proceedings arising out of it are quashed.

It goes without saying that the parties will be bound by the said compromise.

09.10.2020
sandeep

(NIRMALJIT KAUR)
JUDGE

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No