

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 215

CRM-M-28594-2020

Date of decision : 17.12.2020

Gagandeep Singh and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Dinesh Mahajan, Advocate, for the petitioners.
 Mr.Sidakmeet Singh Sandhu, AAG, Punjab.
 Mr.Rimple Saini, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.201 dated 04.07.2020 registered under Sections 363, 366A and 120B IPC at Police Station Phillaur, district Jalandhar on the ground that the petitioners and the complainant have compromised the matter.

Learned counsel for the petitioners as also the complainants-respondents No.2 and 3 submit that respondent No.2-Baljinder Kaur filed a complaint with the police that her younger daughter Manpreet Kaur, aged 17 years, had run away with petitioner No.1-Gagandeep Singh and on the basis of such complaint the afore referred FIR was registered. However, it was later revealed that Gangandeep Singh and Manpreet Kaur, after getting married, had filed a petition before this Court CRWP-5682-2020 "*Manpreet Kaur and another vs State of Punjab and others*" through which they had sought and got protection of their life and liberty and that till date petitioner No.1 and respondent No.3 are living together as husband and wife. Therefore, the complainant/respondent No.2-Baljinder Kaur compromised the matter with the petitioners with the intervention of respectables through a written compromise dated 08.09.2020 (Annexure P-2), as per which she expressed no objection if the FIR in question is quashed.

On 18.09.2020 this Court had directed the petitioners and respondents No.2 and 3 to appear before the Illaqa Magistrate/Trial Court and get their statements recorded to the effect that compromise has actually been arrived at between them. In pursuance to such order, the parties appeared before the Trial Court and got their statements recorded.

As per report dated 07.10.2020 submitted by the Sub Divisional Judicial Magistrate, Phillaur the compromise between the parties is genuine.

Even the State has filed a reply acknowledging the fact that the parties have compromised the matter.

In view of the above and for maintaining peace and harmony between the families of petitioner No.1 and respondent No.3 as also for the reason that petitioner No.1 and respondent No.3 may continue to live together happily as husband and wife, it is considered that continuation of the proceedings in pursuance of the afore-referred FIR would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash FIR No.201 dated 04.07.2020 registered under Sections 363, 366A and 120B IPC at Police Station Phillaur, district Jalandhar and all proceedings arising therefrom qua the petitioners.

The petition is allowed in the above terms.

17.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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