

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-29999-2020 (O&M)
Date of Decision:-18.12.2020

Asha Kalia and others ... Petitioners

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Simranjeet Singh Sarwara, Advocate for the petitioners.

Mr. Ajay Pal Singh Gill, DAG, Punjab.

Mr. S.P.S. Chakkal, Advocate for respondents No.2 to 4.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

CRM-30570-2020

In view of the reasons mentioned in the application, the same is allowed and the hearing of the main petition is preponed from 14.1.2021 and the same is taken on board today itself.

CRM-M-29999-2020

1. The petitioners have approached this Court seeking quashing of FIR No.160 dated 20.7.2015 registered under Sections 452, 427, 323, 506, 148 and 149 IPC at Police Station Dera Bassi, District SAS Nagar and all subsequent

proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. During the course of hearing, it was pointed out by the learned State counsel that in fact a cross-version was also recorded in the instant case at the instance of petitioner No.1-Asha Kalia and that no separate petition in respect of same has, however, been filed.
3. Learned counsel for the petitioners has specifically stated that his clients do not have any objection for quashing of the cross-version as the matter has been amicably settled.
4. Since there is no specific prayer before this Court for quashing of the DDR, this Court does not deem it appropriate to pass any order for quashing of the DDR in the present proceedings. However, it shall be open to the complainant side to move a separate petition, if deemed appropriate, for quashing of cross-version.
5. Vide order dated 28.9.2020, the parties had been directed to appear before the Illaqa Magistrate/Trial Court so as to get their statements recorded regarding the factum of compromise.
6. Report of learned Judicial Magistrate 1st Class, Dera Bassi has been received, wherein it has been reported that the statements of petitioners/accused Asha Kalia, Gagan Kalia @ Shiven, Sheenam and also of complainant Gurjeet Kaur, Ravinder Kaur Lamba and Shishir Majri @ Anjali have been recorded to the effect that they have compromised the matter amongst themselves.

7. The complainant Gurjeet Kaur, Ravinder Kaur Lamba and Shishir Majri @ Anjali in their statements have stated that they have no objection in case the FIR in question is quashed.
8. The learned Judicial Magistrate 1st Class, Dera Bassi has specifically opined that the parties have entered into compromise voluntarily without there being any pressure, coercion or undue influence.
9. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in 2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab, the present petition is allowed and FIR No.160 dated 20.7.2015 registered under Sections 452, 427, 323, 506, 148 and 149 IPC at Police Station Dera Bassi, District SAS Nagar and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

18.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether reasoned/speaking

Yes / No

Whether reportable

Yes / No