

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

274

CRM-M-29836-2019

Date of Decision:16.03.2020

Gurmeet Kaur and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: None for the petitioners.

Ms. Ruchika Sabharwal, AAG, Punjab.

None for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.111 dated 25.08.2008 under Section 306 IPC, registered at Police Station Raikot, District Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom on the basis of affidavit dated 19.09.2008(Annexure P-2).

This Court vide order dated 22.10.2019 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned trial court was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Judicial Magistrate 1st Class, Jagraon and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has

submitted report dated 07.12.2019 to the effect that the compromise appears to be voluntary, genuine and without any coercion or undue influence.

Though no one is present on behalf of complainant-respondent No.2-Jarnail Kaur in Court today, but no prejudice would be caused to her as she has already made a statement with regard to compromise before learned Magistrate on 02.12.2019. The same is reproduced as under:-

“Stated that an FIR No.111 dated 25.08.2008 u/s 306 of IPC registered at Police Station Raikot, Distt. Ludhiana, lodged on my statement against accused Gurmeet Kaur, Pritam Kaur, Manjit Kaur @ Jiti, Gurjit Singh and Gurcharan Kaur (since deceased in the year 2015), all resident of village Burj Hari Singh, Tehsil Raikot, Distt. Ludhiana. There is no other complainant or affected/aggrieved party other than me arrayed in the petition. I have compromised the matter with all the above said accused. The said compromise is genuine, voluntary and without any coercion or undue influence. Self attested photocopy of my Aadhar Card is Ex.A1. There is no other accused other than the above said accused arrayed in FIR. There is no other case pending between the parties in any court. I have no objection if the present FIR is quashed against all the above said accused.”

Learned State counsel has not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.111 dated 25.08.2008

Ludhiana(Annexure P-1) and all the consequential proceedings arising therefrom are hereby quashed qua the petitioners on the basis of compromise dated 19.09.2008(Annexure P-2).

March 16, 2020
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No