

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-1788-2020(O&M)

DATE OF DECISION: 11.01.2021

GURDEV SINGH AND OTHERS

... Petitioner (s)

Versus

STATE OF PUNJAB AND ANOTHER

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Amandeep Singh Manaise, Advocate
for the petitioners.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Anil Kumar Garg, Advocate for respondent No.2.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

The petitioners are seeking quashing of FIR No.72 dated 04.06.2019 under Section 306 IPC, registered at Police Station Dinanagar, District Gurdaspur and all subsequent proceedings, on the basis of compromise dated 13.08.2019, which has been arrived at between the parties.

Learned counsel for the petitioners contends that it is alleged in the FIR which has been lodged by the wife of the deceased that the petitioners were harassing him. He, however, contends that allegations in the FIR would not constitute prima facie case under Section 306 IPC and there is no suicide note left behind by the deceased. The police had filed a cancellation report after conducting investigation. The matter has now been compromised and the copy of the compromise is at Annexure P-2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

This Court vide order dated 28.10.2020 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the JMIC, Gurdaspur, dated 19.11.2020 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The matter has now been compromised between the parties.

In view of the law laid down by the Supreme Court in the case of **Narinder Singh vs. State of Punjab 2014 (6) SCC 466**, no useful purpose will be served by continuing the criminal proceedings. Therefore, the petition is allowed and FIR No.72 dated 04.06.2019 under Section 306 IPC, registered at Police Station Dinanagar, District Gurdaspur and all consequential proceedings are hereby quashed qua the petitioner(s).

(ANUPINDER SINGH GREWAL)
JUDGE

11.01.2021.

SwarnjitS

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