

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

241

**CRM-M-26272-2021
Decided on : 14.09.2021**

Paramjit Kaur and others

... Petitioner(s)

Versus

State of Punjab and another

... Respondent(s)

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

(Through Video Conferencing)

PRESENT: Mr. A.S. Khinda, Advocate
for the petitioner(s).

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Harjinder Singh, Advocate
for respondent No.2 (complainant).

MANJARI NEHRU KAUL, J. (Oral)

The instant petition is for quashing of FIR No. 197, dated 02.11.2020, lodged under Section 306 of IPC (later on added Section 506 of IPC), registered at Police Station City Koom Kalan, District Police Commissioner, Ludhiana (Annexure P-1) and all the consequential proceedings arising out of the same, on the basis of affidavit/compromise dated 28.12.2020 (Annexure P-3) arrived at, between the parties.

The FIR in question came to be registered at the instance of respondent No.2. In the FIR in question, the complainant had alleged that adjoining his house there was 05 marla Panchayat land on which he and his family were tethering their cattle. However, members of his community started raising wall on three sides of the said land, as they wanted to construct a temple. The complainant had further alleged that when he and his wife stopped members of his community from doing so, they were

extended threats by the Sarpanch and Panchayat Members. Resultantly, when the complainant went to the Police Station for lodging a complaint, he learnt that Panchayat Secretary had already lodged a complaint against him and his wife. Later the Panchayat Secretary and a Panchayat Member threatened them that in case they raked up the issue again *qua* any construction on the Panchayat land, they would take recourse to legal remedy. It was alleged that it was in the wake of this threat levelled and some co-villagers taunting the complainant and his wife, the latter committed suicide by hanging herself with the cloth.

Vide order dated 12th July, 2021 of this Court, the parties were directed to appear before the learned Illaqa Magistrate/trial Court on 13th August, 2021, to get their statements recorded, regarding the compromise arrived at, between them.

Report has since been received from the learned JMIC, Ludhiana, in pursuance to the direction of this Court, wherein, the factum of the compromise arrived at between the parties stands verified and confirmed. As per the report compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that she would have no objection if the FIR *qua* the accused-petitioners is quashed. The trial Court has annexed the photocopies of the statements of the parties along with its report.

Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

In view of the report of the learned JMIC, Ludhiana, and the

principles laid down by the Apex Court in *Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303*, and also by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, the instant petition is allowed. The aforesaid FIR and all consequential proceedings arising out of it, are quashed.

Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

(MANJARI NEHRU KAUL)
JUDGE

September 14, 2021

J.Ram

Whether speaking/reasoned: *Yes/No*
Whether Reportable: *Yes/No*