

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH.**

208/1

**CRM-M-25398-2019
Date of decision : 01.12.2021**

BALDEV DHALL AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Sant Lal Barwala, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab
for respondent No. 1-State.

Mr. N.S.Sodhi, Advocate with
Mr. N.K.Mehra, Advocate
for respondent No. 2 with respondent No. 2 in person.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 482 of the the Code of Criminal Procedure, 1973 is for quashing of Complaint-14 of 2014 dated 03.01.2014 titled as Amarjit Kaur Vs. Vijay Kumar Dhall and others (Annexure P-1) under Sections 452, 323, 506, 148 and 149 of the Indian Penal Code, 1860 (for short 'the IPC') pending before Judicial Magistrate First Class, Ferozepur and summoning order dated 13.01.2016 (Annexure P-2) with all consequential proceedings arising therefrom in view of the compromise dated 03.02.2019 (Annexure P-3) arrived at between the parties.

Briefly stated, the above said complaint was filed by respondent No. 2-Amarjit Kaur on the averments that she is a widow

lady and is in possession of house along with her mother. The accused

KAVNEET SINGH
2021.12.02 14:50
I attest to the accuracy and
integrity of this document

persons wanted to forcibly dispossess her from the house in question. Respondent No. 2 along with her mother has already filed civil suit for permanent injunction in which status quo order has already been granted. On 18.05.2013, the accused persons along with five to six persons forcibly entered her house with deadly weapons and caused injuries to her and her mother. On raising hue and cry, the accused persons fled from the spot along with their respective weapons.

Vide order dated 30.05.2019, Co-ordinate Bench of this Court directed the private parties to appear before the trial Court/Illaq Magistrate for recording of their statements with regard to compromise/settlement and directed the Trial Court/Illaq Magistrate to submit a report regarding the genuineness and voluntary nature of the compromise.

In compliance with the above said order, learned Judicial Magistrate First Class, Ferozepur has recorded the statements of both the parties and submitted report vide letter No. 226 dated 20.09.2019, duly forwarded by the learned District and Sessions Judge, Ferozepur vide letter No. 8706/EB dated 21.09.2019.

I have heard learned Counsel for the parties and gone through the case file.

On the previous date of hearing on 18.11.2021, direction was given to complainant-Amarjit Kaur, in the present case and accused-petitioner in other connected case CRM-M-37410-2019 to remain present in the Court on the next date of hearing. In compliance to the same, complainant/respondent No.2-Amarjit Kaur has come present before this Court today and affirmed the factum of compromise

effected between the parties having no objection for quashing of both the cases.

A perusal of the report of learned Judicial Magistrate First Class, Ferozepur also clearly reveals that the matter has been compromised by the parties with their free consent, voluntarily and without any coercion or undue influence.

Learned State Counsel has no objection in case the complaint along with all subsequent proceedings arising therefrom is quashed on the basis of compromise effected between the parties.

The offences involved in the present case are overwhelmingly and predominantly of private character. The parties have resolved their entire dispute. The compromise will also contribute to peace and harmony in the society.

In view of the above, the petition is allowed and Complaint-14 of 2014 dated 03.01.2014 titled as Amarjit Kaur Vs. Vijay Kumar Dhall and others (Annexure P-1) under Sections 452, 323, 506, 148 and 149 of the IPC pending before Judicial Magistrate First Class, Ferozepur and summoning order dated 13.01.2016 (Annexure P-2) are quashed with all consequential proceedings arising therefrom.

01.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

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