

Sukhwinder Singh alias Juggi Muradpuria

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Barjinder Singh, Advocate, for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.
Mr. Chetan Kapoor, Advocate,
for respondents no.2 and 3.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioner seeks quashing of FIR No.50, dated 30.06.2019, registered at Police Station Kheri Gandain, District Patiala, alleging therein the commission of an offence punishable under Section 379-B of the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (Annexure P-2), arrived at between the petitioners and respondent no.2 and 3.

On January 13, 2021, the following order had been passed on an application having been filed by the petitioner seeking advancement of the date of hearing in this petition:-

CRM-373-2021

By this application, disposal of the accompanying petition is sought, it being one seeking quashing of the FIR in question on the basis of a compromise stated to be reached between the parties, with this court having directed that the statements of the petitioner and respondent no.2, i.e. the complainant in the FIR, be recorded before the learned *Ilaqa* Magistrate/trial court.

Learned counsel submits that pursuant to the said order dated 17.02.2020, the statements were duly recorded before the learned JMIC, Rajpura, that report already being on record (dated

02.07.2020).

Notice in the application, with Mr. Ramdeep Partap Singh, learned DAG, Punjab, accepting notice at the asking of the court on behalf of the respondent State and with Mr. Chetan Kapoor, Advocate, appearing for respondent no.2 and accepting notice. He submits that he has no objection to the application being allowed and the petition itself being disposed of today itself.

That being so, this application is allowed and the main case is being taken up for hearing today itself.

CRM-M-35742-2019

Though the report of the learned JMIC, Rajpura, dated 02.07.2020, has been received, however the stage of proceedings pursuant to the FIR registered are not available either with counsel for the petitioner, counsel for the State or counsel for the complainant, as today only the application seeking disposal of the petition has been listed.

Consequently, adjourned to 21.01.2021, with all learned counsel to take specific instructions with regard to the proceedings, i.e. whether the investigation is complete and a report has been submitted to the competent court and if so, the stage of the trial thereafter.

To be shown in the urgent motion list.

Today, learned State counsel, on instructions, submits that in fact the trial has not even begun because even the report under Section 173 of the Cr.P.C. has not been submitted so far.

He further submits upon query, that as per his instructions there is no other criminal case registered against the petitioner.

Pursuant to the order of this Court dated 17.02.2020, a report has been received from the learned JMIC, Rajpura, dated 02.07.2020, stating to the effect that the complainant in the FIR, i.e. respondent no.2 Princepal Singh, as also respondent no.3 Simran Kaur ('victim' and wife of the complainant), appeared before that court on June 30, 2020 and recorded their statements to the effect that the matter has been compromised with the petitioner (accused).

The petitioner, i.e. the accused Sukhwinder Singh, is also stated to have made a similar statement before that court.

That being so, though the offence that is alleged to have been committed would otherwise be an offence committed against the society, but with there stated to be no other criminal case registered against the petitioner, and the matter having been amicably settled between the parties, I see no purpose in continuing with the criminal proceedings against the petitioner.

Consequently, the petition is allowed and FIR No.50, dated 30.06.2019, registered at Police Station Kheri Gandain, District Patiala, alleging therein the commission of an offence punishable under Section 379-B of the IPC, along with all proceedings emanating therefrom, is hereby quashed.

January 21, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES/NO

Whether Reportable : YES/NO