

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

208/2

**CRM-M-37410-2019 (O &M)
Date of decision : 01.12.2021**

AMARJEET KAUR AND OTHERS

.....Petitioners

Versus

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. N.S.Sodhi, Advocate with
Mr. N.K.Mehra, Advocate
for the petitioners with petitioner No.1 in person.

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

Mr. Sant Lal Barwala, Advocate
for respondent No. 2.

SANT PARKASH, J. (ORAL)

Prayer in this petition under Section 482 of the the Code of Criminal Procedure, 1973 is for quashing of FIR No. 80 dated 18.04.2016 registered under Sections 380, 427, 447, 148, 149 and 201 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station City Ferozepur, District Ferozepur with all consequential proceedings arising therefrom in view of the compromise dated 03.02.2019 (Annexure P-2) arrived at between the parties.

The above said FIR was registered on complaint made by respondent No. 2- Kaushaliya Devi through her son Sh. Baldev Dhall on the allegations that the accused persons have forcibly taken

possession of house of Kaushaliya Devi and have stolen valuable articles belonging to her.

Vide order dated 05.09.2019, Co-ordinate Bench of this Court directed the private parties to appear before the trial Court/Illaqa Magistrate for recording of their statements with regard to compromise/settlement and directed the Trial Court/Illaqa 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. 737 dated 20.09.2019, duly forwarded by the learned District and Sessions Judge, Ferozepur vide letter No. 9072/EB dated 04.10.2019.

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

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 FIR 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 FIR No. 80 dated 18.04.2016 registered under Sections 380, 427, 447, 148, 149 and 201 of the IPC at Police Station City Ferozepur, District Ferozepur is quashed with all consequential proceedings arising therefrom.

01.12.2021
kavneet singh

(SANT PARKASH)
JUDGE

Whether speaking/reasoned

Whether reportable

:

:

Yes/No

Yes/No