IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-4145-2020 (O&M)

Date of Decision: 19.09.2022

Jaswinder Kaur & others ...Petitioners

Versus

State of Punjab & another ...Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Manu Loona, Advocate, for the petitioners.

Ms. Swati Batra, DAG, Punjab.

Mr. Ajay Kalra, Advocate, for respondent No.2.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners have approached this Court seeking quashing of FIR No.88 dated 30.07.2019 registered at Police Station Khui Khera, District Fazilka, under Sections 447/336/427/307 IPC and Section 25/27 of the Arms Act and all subsequent proceedings emanating therefrom on the basis of a compromise having been effected between the parties.

2. Though the FIR pertains to a serious offence in the nature of Section 307 IPC, but having regard to the fact that in the present case the complainant i.e. respondent No.2 – Amrinder Singh is husband of petitioner No.1 – Jaswinder Kaur and the dispute pertaining to property, which had led to lodging of the present FIR, has been resolved amongst them and they are stated to be living together and while also noticing that none was injured, the instant petition is being entertained.

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3. Vide order dated 30.01.2020, the parties had been directed to appear before the Illaqa Magistrate/trial Court so as to get their statements recorded qua the factum of compromise. The period for recording the statements of the parties qua the factum of compromise has been extended vide order dated 24.08.2021.

4. Report of learned Judicial Magistrate Ist Class, Fazilka, has been received, wherein it has been reported that the statements of accused/petitioners, namely, Jaswinder Kaur, Jarnail Singh and Pritpal Singh and also of complainant Amrinder Singh have been recorded to the effect that they have compromised the matter amongst themselves.

5. The complainant Amrinder Singh in his statement has stated that he has no objection in case the FIR in question is quashed.

6. The learned Judicial Magistrate Ist Class, Fazilka, has specifically opined that the parties have entered into compromise voluntarily, without any influence, threat and coercion.

7. In view of the aforesaid compromise and bearing in mind the law laid down by Full Bench of this Court in *2007(3) RCR (Crl.) 1052 Kulwinder Singh and others Vs. State of Punjab*, the present petition is allowed and FIR No.88 dated 30.07.2019 registered at Police Station Khui Khera, District Fazilka, under Sections 447/336/427/307 IPC and Section 25/27 of the Arms Act and all subsequent proceedings emanating therefrom are hereby quashed qua petitioners.

19.09.2022 **(GURVINDER SINGH GILL)**
Vimal **JUDGE**

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

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