

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 242 (2)

CRM-M-12583-2019

Date of decision : 04.04.2022

Amarjit Kaur and another

..... Petitioners

VERSUS

The State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Harmanpreet Sehgal, Advocate, for the petitioners.

Ms.Gunkirat Kaur, AAG, Punjab.

Mr.M.S.Tiwana, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of General Diary Entry No.22 dated 05.12.2018 registered under Sections 341, 323, 506, 34 IPC in FIR No.77 dated 03.12.2018 registered under Sections 341, 354-A, 354-B, 323 and 506 IPC at Police Station Rawalpindi, District Kapurthala.

On 19.03.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Duty Magistrate/Trial Court for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report with regard to the genuineness of the compromise as also to intimate if any of the parties has been declared as proclaimed offender.

As directed, report dated 11.04.2019 from the Judicial Magistrate Ist Class, Phagwara, has been received, as per which the parties had recorded their statements before the Illaqa Magistrate/Trial Court in terms of the compromise arrived at between them; the compromise is genuine, without any pressure, coercion and same has been done with the free consent of the parties and that none of the parties has been declared as proclaimed offender.

Learned State counsel has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which offences are not heinous and the matter having been compromised, would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in *Kulwinder Singh and others Vs. State of Punjab and others*, 2007 (3) RCR (Criminal) 1052, this Court deems it just and proper to allow the petition and resultantly quash General Diary Entry No.22 dated 05.12.2018 registered under Sections 341, 323, 506, 34 IPC in FIR No.77 dated 03.12.2018 registered under Sections 341, 354-A, 354-B, 323 and 506 IPC at Police Station Rawalpindi, District Kapurthala and all proceedings arising therefrom, qua the petitioners.

04.04.2022

shamsher

[DEEPAK SIBAL]
JUDGE

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