

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 243

CRM-M-13346-2019

Date of decision : 04.04.2022

Kirpal Singh and another

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.N.S.Dadwal, Advocate, for the petitioners.

Mr.Saurav Khurana, DAG, Punjab.

Mr.Jagjit Singh, Advocate, for respondents No.2 and 3.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.16 dated 01.02.2018 registered under Sections 363, 366 and 120-B IPC at Police Station City Raikot, Ludhiana Rural on the basis of compromise dated 02.03.2019 (Annexure P-2) entered into between the parties as also for the reason that petitioner No.2 has married the victim/respondent No.3.

On 25.03.2019 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate 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 directed, report dated 09.05.2019 from the Judicial Magistrate Ist Class, Jagraon has been received, as per which the parties had recorded their statements before the Trial Court/Illaq Magistrate in terms of the compromise arrived at between them and that the compromise is genuine, voluntary and without any coercion or undue influence.

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 parties have compromised the matter and petitioner No.2 and respondent No.3 are now residing together as husband and wife, 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 FIR No.16 dated 01.02.2018 registered under Sections 363, 366 and 120-B IPC at Police Station City Raikot, Ludhiana Rural and all proceedings arising therefrom, qua the petitioners.

04.04.2022
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[DEEPAK SIBAL]
JUDGE

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