

118 IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-25935-2019

Date of Decision: 25.02.2022

Kashmir Kaur and others

.....Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present:- Mr. Navraj Singh, Advocate, for the petitioners.

Mr. Rana Harjasdeep Singh, AAG, Punjab.

Mr. Rahul Sharma, Advocate for
Mr. Ramesh Sharma, Advocate,
for the respondent no.2.

AMOL RATTAN SINGH, J. (Oral)

By this petition, the petitioners seek quashing of FIR No.74, dated 21.09.2018, registered at Police Station Badali Ala Singh, District Fatehgarh Sahib, alleging therein the commission of offences punishable under Sections 406/420/120-B the IPC, as also all other subsequent proceedings arising therefrom, on the basis of a compromise (copy Annexure P-2), arrived at between the petitioners and respondent no.2.

Pursuant to the order of this court dated 04.09.2019, the report of the learned JMIC, Fatehgarh Sahib, dated 23.10.2019, has been received, with it stated therein that the complainant in the FIR (respondent no.2 Jaswinder Singh), appeared before that court as did petitioner no.2, Rajwinder Kaur, and the Special Attorney of petitioner no.3, Parminder Singh as also did petitioner no.4, Harpinder Singh, (Petitioner no.1, Kashmir Kaur, is not seen to have appeared before that court).

It is then stated in the report that there are only two accused in the FIR and none of them is a proclaimed offender.

The statement of the parties was to the effect that they have compromised the matter and that the complainant has received Rs.10 lakhs as the settlement amount.

As per the statement of the investigating officer, another FIR, bearing no.103, dated 27.04.2019, under the provisions of Sections 420/120-B of the IPC, stands registered at Police Station Beas, District Amritsar Rural, against the accused in the present case (though not stated as to which of the accused).

However, as per the assessment of that court the compromise arrived at between the parties seems to be a voluntary act without any pressure.

The statements of the aforesaid petitioners and of respondent no.2 have been annexed with the report.

No reply has been filed on behalf of the respondent State but learned State counsel submits that in view of the above, he would naturally have no objection if this court comes to conclusion that the FIR may be quashed.

Though of course it is stated that there is another criminal case registered against some of the petitioners, however looking at the nature of the offences stated to have been committed and with the matter having been compromised between all parties as is not denied today by learned counsel appearing for respondent no.2, the petition *is allowed and* FIR No.74, dated 21.09.2018, registered at Police Station Badali Ala Singh, District Fatehgarh

Sahib, alleging therein the commission of offences punishable under Sections 406/420/120-B the IPC, along with all proceedings emanating therefrom, is hereby quashed.

February 25, 2022

dharamvir

(AMOL RATTAN SINGH)

JUDGE

Whether reasoned/speaking : Yes

Whether reportable: : No