

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

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**CRM-M-32782-2022
Date of decision : 22.11.2022**

Birpal Singh

..... Petitioner

V/S

State of Punjab and another

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Parveen Kumar Garg, Advocate
for the petitioner.

Mr. R.S.Khaira, DAG, Punjab.

Mr. Tejinderpal Singh, Advocate
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner-Birpal Singh has filed the instant petition under Section 482 of Cr.P.C. for quashing the the FIR No.177 dated 31.10.2017 registered under Sections 294, 506 IPC (Section 354-A added later on) and Section 67, 67-A of IT (Amendment) Act, at Police Section Dirba, District Sangrur on the basis of compromise between the parties (Annexure P-2)

As per the facts of the present FIR Kamaljit Kaur-complainant gave her statement to the police that her husband is serving in Military and she is residing along with her children with her parents in village Rogla. On 14, 15.09.2017, she received obscene photographs on her whatsapp. The petitioner who is brother-in-law of

his brother sent obscene messages from his mobile phone. When she enquired, he telephonically threatened her. Thereafter, her husband came on leave and she disclosed the entire story to him and the matter was reported to the police, with these allegations present FIR has been registered.

The petitioner filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner and respondent No.2 were directed to appear before the trial Court/Illaq Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate, 1st Class, Sunam dated 29.09.2022. The statement of complaint-Kamaljit Kaur has been recorded, where she confirmed the compromise with the petitioner. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioner-Birpal Singh also confirmed this fact in his separate statement. The statement of DSP Pushpinder Singh is also recorded who further confirmed that the accused is not involved in any other case.

Therefore, from the report of Judicial Magistrate, 1st Class, Sunam, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. It will enable them to live in harmony. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the

petitioner is accepted and the FIR No.177 dated 31.10.2017 registered under Sections 294, 506 IPC (Section 354-A added later on) and Section 67, 67-A of IT (Amendment) Act, at Police Section Dirba, District Sangrur on the basis of compromise between the parties (Annexure P-2) and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands disposed of.

(AMARJOT BHATTI)
JUDGE

22.11.2022
Sunil Devi

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No