

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

287

CRM-M-38147 of 2021
Date of decision:12.10.2022

Hapreet Singh @ Happy

... Petitioner

Vs.

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Malkiat Singh Hundal, Advocate
for the petitioner.

Mr. Vipin Pal Yadav, Addl.A.G., Punjab.

Mr. Sidhant, Advocate for
Ms. Shivangi Dutt, Advocate
for respondents No.2 and 3.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.155 dated 12.08.2020 registered for offences under Sections 354, 506, 509, 34 of Indian Penal Code, 1860, at Police Station Chheharta, District Police Commissionerate Amritsar (Annexure P-1), on the basis of compromise deed dated 06.09.2021 (Annexure P-2).

Counsel for the petitioner submits that petitioner and private respondents are residents of adjoining localities and the petitioner, who knew the victim-respondent No.3, was not liked by her father, respondent No.2 and he has lodged the FIR on the basis of false allegations. Counsel has specifically urged that offences are not made out as the incident, as

alleged, never took place. He submits that dispute has been settled by compromise (Annexure P-2) and the parties have appeared before the Trial Court and recorded their statements in support of the compromise.

Upon instructions received from ASI Heera Singh, State counsel submits that matter is under investigation.

Counsel representing the complainant-respondent No.2 and victim-respondents No.3 has supported the prayer made in the petition and has admitted that compromise has been effected between the parties.

Heard counsel for the parties.

Vide order dated 14.09.2021, this Court directed the parties to appear before the Trial Court/Area Magistrate for getting their statements recorded and a report was called for regarding the genuineness of the compromise as also as to whether PO proceedings are pending against any of the parties. Report has been received and its relevant extract is as under:-

“In view of statements of complainant, Surinder Singh, her daughter Jaspreet Kaur, compromise appears to be genuine, arrived at voluntarily between the parties and out of their free will and without any pressure or coercion. As per statement and affidavit of accused, Harpreet Singh @ Happy and statement of I.O., ASI Sahib Singh, accused has not been declared as proclaimed offender in the present case and even no P.O., proceedings are pending either against accused, Harpreet Singh or the complainant Surinder Singh.”

Considering the fact that dispute between the parties is purely

private in nature and has been amicably settled, this Court is of the view that prolonging the criminal proceedings would not serve any purpose as possibility of conviction of accused seems bleak.

In view of the above development, report of the Trial Court and judgment of Supreme Court in **Shiji @ Pappu and others Versus Radhika and another 2012(1) RCR (Criminal) 9**, this Court is inclined to accept the prayer made in the petition.

Accordingly, petition is allowed. FIR No.155 dated 12.08.2020 registered for offences under Sections 354, 506, 509, 34 of Indian Penal Code, 1860, at Police Station Chheharta, District Police Commissionerate Amritsar (Annexure P-1) is quashed qua the petitioner.

October 12, 2022

savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>