

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

THROUGH VIDEO CONFERENCING

CRM-M-38345-2021 (O&M)

Date of decision: 10.1.2022

Amandeep Kaur @ Amandeep Sharma and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Rajesh Gupta, Advocate, for the petitioners.

Mr. R.S. Thind, DAG, Punjab.

Mr. Gulzar Mohammad, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.218 dated 31.12.2014 registered under Sections 406, 420, 34 IPC at Police Station Sadar Khanna, District Khanna on the basis of compromise dated 1.3.2021 (Annexure P-2).

The above stated FIR was registered on the complaint of the complainant/respondent No.2-Sarabjit Kaur in which she alleged that both the petitioners took ₹ 2.5 lakhs by defrauding her by giving assurance to respondent No.2 that she will be blessed with male child and, thereafter, she gave birth to female child in November, 2012. The petitioners had also refused to return the said amount to respondent No.2.

On notice of motion, respondent No.2 appeared in the Court through his counsel and pleaded that he has no objection if the FIR in this

case is quashed on the basis of the aforesaid compromise which has been
PARITOSH KUMAR
2022.01.10 17:04
I attest to the accuracy of
this order

effected between the parties.

During the course of preliminary hearing, the trial Court/Illaq Magistrate was directed to record the statements of the all the concerned parties with regard to genuineness and validity or otherwise of the aforesaid compromise.

In compliance thereof, report from the Court of JMIC, Khanna along with statements of the parties has been received, in which, it is mentioned that the compromise is genuine and there was no undue influence or coercion from any side.

I have heard learned counsel for the parties.

Learned counsel for the petitioners and for respondent No.2 are *ad idem* that in view of the settlement effected between the parties, the present petition deserves to be accepted. It has also come on record that the aforesaid compromise is genuine and the parties effected the same without any undue influence or coercion.

I am of the view that the aforesaid compromise is in the welfare and interest of the parties and will enable the parties to live in peace and enjoy their life in a dignified manner. Also there is no legal impediment in translating their wishes into reality by putting an end to the criminal prosecution initiated on the basis of FIR in question.

For the reasons aforestated and having regard to the law laid down by Hon'ble Apex Court in **Gian Singh v. State of Punjab and another**, 2012 (4) RCR (Criminal) 543 and Five Judges Bench of this Court in **Kulwinder Singh and others v. State of Punjab and another**, 2007(3) RCR (Criminal) 1052, this petition is allowed and FIR No.218 dated

31.12.2014 registered under Sections 406, 420, 34 IPC at Police Station Sadar Khanna, District Khanna and all the subsequent proceedings are hereby quashed qua the petitioners.

Needless to mention that both the parties will abide by the terms and conditions of the compromise Annexure P-2 in letter and spirit.

(**KARAMJIT SINGH**)
JUDGE

January 10, 2022
Paritosh Kumar

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