

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

THROUGH VIDEO CONFERENCING

CRM-M-43487-2020 (O&M)

Date of decision: 15.3.2022

Surinder Kaur and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE KARAMJIT SINGH

Present: Mr. Gulshan K. Moudgil, Advocate, for the petitioners.

Mr. S.S.Deol, DAG, Punjab.

Mr. Angad Parmar, Advocate, for respondent No.2.

KARAMJIT SINGH, J. (Oral)

Prayer in this petition is for quashing of FIR No.0125 dated 1.6.2019 registered under Sections 323, 324, 452, 379, 380, 427, 148, 149, 506 IPC at Police Station City Kapurthala, District Kapurthala on the basis of compromise dated 9.12.2020 (Annexure P-3).

The above stated FIR was registered on the statement of the complainant/respondent No.2-Pardeep Kaur in which she alleged that her son-Gurpreet Singh got married with petitioner No.3 on 15.2.2019 and thereafter, his son went to Australia on 11.3.2019 and thereafter, petitioner No.3 raised dispute with respondent No.2; that on 31.5.2019, petitioner No.3 started arguing with respondent No.2 and then telephoned her parents and thereafter, petitioner No.1-Surinder Kaur and petitioner No.2-Gurneet Singh, mother and brother respectively of petitioner No.3 reached the house of respondent No.2 along with 3-4 other unidentified persons. All of them

started beating respondent No.2 and petitioner No.3 took knife from the kitchen and gave its blow on the left arm of respondent No.2 and she also snatched golden chain of 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 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 Chief Judicial Magistrate, Kapurthala 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.

In view of above, nothing remains to be adjudicated further in the present case. Thus, continuation of the criminal proceedings between the parties would be a futile exercise and sheer wastage of time of the Court and thus, amount to abuse of process of law.

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. 0125 dated 1.6.2019 registered under Sections 323, 324, 452, 379, 380, 427, 148, 149, 506 IPC at Police Station City Kapurthala, District Kapurthala and all the subsequent proceedings are hereby quashed qua the petitioners.

(KARAMJIT SINGH)
JUDGE

March 15, 2022

Paritosh Kumar

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