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

CRM-M-53269-2021
Date of decision: 21.09.2022

Sandeep Singh @ Jagga**Petitioner.**
vs.
State of Punjab and another**Respondents.**

CORAM: - HON'BLE MR. JUSTICE VIVEK PURI

Present: - Mr. Vinay Kumar, Advocate, for the petitioner.

Mr. Hittan Nehra, Addl. AG, Punjab.

Mr. Anosh Samson, Advocate, for
Mr. Sanjeet Singh, Advocate,
for complainant-respondent No. 2.

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VIVEK PURI, J.

Petitioner has approached this Court by way of instant petition under Section 482 Cr.P.C. invoking its inherent jurisdiction for quashing of FIR No.75 dated 18.09.2021, under Sections 452/354/506 IPC, registered at Police Station Ghanie Ke Bangar, District Batala, and all the consequential proceedings arising therefrom, on the basis of compromise.

Briefly, the FIR had been registered on the allegations that on 17.09.2021, petitioner had entered the house of respondent No. 2 and outraged her modesty.

On 24.05.2022, parties were directed to appear before the Trial Court/Illaq Magistrate and get their statements recorded with regard to the compromise arrived at between them.

The trial Court was directed to record the statements of all the concerned and send its report regarding genuineness and voluntary nature of the compromise.

In compliance of the order dated 24.05.2022, learned District & Sessions Judge, Gurdaspur, has recorded the statements of the parties and submitted the report, the relevant para whereof reads as under:-

“1. There is only one person namely Sandeep Singh @ Jagga son of Sarabjit Singh, resident of V.P.O Khaira, Tehsil Batala, District Gurdaspur, arrayed as accused in the present FIR.

2. Accused is not declared as proclaimed offender.

3. In view of the statements got recorded by both the parties, this Court is satisfied that the compromise effected between them is genuine, and is not the result of any pressure or coercion.

4. Except the present FIR, four other FIRs have been registered against the accused.

5. As per the statement of investigating officer, there is only one victim/complainant namely Gurpreet Kaur is in the present case”.

Learned counsel for the petitioner contends that the dispute has been amicably settled between the parties in terms of the compromise (Annexure P-2). The parties are neighbours and residing in the same village. The amicable settlement will help in maintaining cordial relations between the parties in future.

Learned counsel for respondent No.2 states that she has no objection if FIR is quashed.

After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court

under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement, out of the Court, by way of compromise. The compromise is without any pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute of neighbours has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, upheld by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.75 dated 18.09.2021, under Sections 452, 354, 506 IPC, registered at Police Station Ghanie Ke Bangar, District Batala, and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioner only.

Resultantly, with the above-said observations made, the instant petition stands allowed.

21.09.2022
preeti

(VIVEK PURI)
JUDGE

whether speaking/reasoned	yes/no
whether reportable	yes/no