

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

246

CRM-M-2073-2021

Date of decision : 24.03.2023

AVTAR SINGH @ SUNNY AND ORS

.... Petitioners

V/S

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. J.S. Rana, Advocate
for Mr. Sandeep Arora, Advocate
for the petitioners.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Jasvir Singh, Advocate
for Mr. G.S. Rawat, Advocate for the respondents No. 2 to 4.

AMARJOT BHATTI J. (ORAL)

The petitioners – Avtar @ Sunny, Jagtar Singh, Balkar Singh and Baljinder Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 263 dated 18.11.2020, under Sections 452, 324, 323, 354, 34 of IPC, registered at Police Station Sadar District Jalandhar and all other subsequent proceedings arising out of the registration of FIR on the basis of compromise between the parties.

As per the facts of the case, Reena Devi – complainant gave her statement to the police that on 16.11.2020 at about 09:00 P.M, she along with her husband Jatinder Kumar, father-in-law Ram Singh, mother-in-law Promila Devi

was present in the house where Ravi came to their house to talk to her father-in-law and mother-in-law. She was also standing nearby. In the meantime, Gaurav, Balkar, Avtar @ Sunny, Gori and Baljinder @ Sonu came there and raised *lalkara*. They were armed with weapons. Gaurav and Sunny entered their house and on this, Gaurav gave datar blow to her which hit on her right side of eye, Sunny gave danda blow which hit on her right arm. Gaurav and Sunny dragged her from her clothes and outraged her modesty. They also caused injury to Jatinder Kumar – husband of the complainant and her brother-in-law in relation. On the alarm raised by them, they ran away with their respective weapons. With these allegations, present FIR has been registered.

The petitioners have filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners and respondents No.2 to 4 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 learned Additional Chief Judicial Magistrate, Jalandhar, dated 02.03.2021. Joint statements of respondents No.2 to 4 have been recorded, where they confirmed the compromise with the petitioners. They confirmed that this compromise has been effected without any pressure, threat or undue influence or coercion and with their sweet will. They further stated that they have no objection regarding quashing of FIR.

The petitioners – Avtar @ Sunny, Jagtar Singh, Balkar Singh and Baljinder Singh have also confirmed this fact in their joint statement.

As per the report of learned Additional Chief Judicial Magistrate, Jalandhar dated 02.03.2021, the matter has been compromised between the parties.

It is reported that the compromise Ex.C1 is voluntarily and genuine document and

it is prepared without any coercion or undue influence and there is no other person involved in this FIR. Moreover, it is a case of version and cross-version and in the cross-version recorded in DDR No. 25 dated 18.11.2020 under Section 324, 323, 34 IPC, Police Station Sadar Jalandhar, District Jalandhar, the matter has also been compromised. Both the parties belong to the same area. They have mutually settled all their disputes. This compromise will enable them to live in peace and harmony. Considering these facts, no purpose would be served with the continuation of criminal proceedings.

Therefore, the petition filed by the petitioners - Avtar @ Sunny, Jagtar Singh, Balkar Singh and Baljinder Singh is accepted and FIR No. 263 dated 18.11.2020, under Sections 452, 324, 323, 354, 34 of IPC, registered at Police Station Sadar District Jalandhar and all other subsequent proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

24.03.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No