

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CRM-M-2094-2019

Date of decision : 26.04.2023

Surinder Singh @ Kala

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Arshdeep Singh Brar, Advocate
for the petitioner.

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

Mr. Sukhtej Singh Sandhu, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Surinder Singh @ Kala has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.116 dated 20.10.2018, under Sections 452, 323, 506, 354-A, 354-B of IPC, registered at Police Station Sadar Sangrur, District Sangrur and all other subsequent proceedings on the basis of compromise between the parties dated 19.12.2018 (Annexure P-2).

As per the facts of the case, the complainant – Gurbinder Kaur gave her statement to the police that she got married to Kuldip Singh about 10 years ago. Out of this wedlock no child was born. On 16.10.2018 at about 6:30 PM, when she was alone in the house, Surinder Singh @ Kala entered in their house

and came to her room. He caught hold of her with bad intention and tried to rape her. He had torn her clothes and bitten on her right arm. When she objected then he gave kick blow on her stomach. She raised alarm, on this her neighbours Sukhpal Kaur and Paramjit Kaur reached there. After seeing them the accused ran away from the spot. Thereafter, she went to the mother of Surinder Singh, but she did not listen to her. She slapped her and also threatened her. In the meantime, her husband came to the house. She narrated the whole incident to him. He took her to the hospital. With these allegations, the present FIR has been registered.

The petitioner filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner and respondent No.2 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 Judicial Magistrate 1st Class, Sangrur dated 21.02.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioner. She confirmed that this compromise has been effected without any pressure, coercion from any side and she has no objection regarding quashing of FIR.

The petitioner-Surinder Singh @ Kala also confirmed this fact in his separate statement. The statement of ASI Pushpinder Singh is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Judicial Magistrate 1st Class, Sangrur, it is clear that the compromise has been effected between the parties without any pressure, coercion or undue influence, which is acceptable to both the parties. Both the parties are residents of the same locality, it would enable them to live in peace and

harmony. They have mutually settled all their disputes. It will end the litigation started between them. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioner is accepted and FIR No.116 dated 20.10.2018, under Sections 452, 323, 506, 354-A, 354-B of IPC, registered at Police Station Sadar Sangrur, District Sangrur and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

26.04.2023.
Sunil Devi

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