

2023:PHHC:088540

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

244

CRM-M No.6556 of 2023

Date of Decision: 14.07.2023

Bhinder Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: ***HON'BLE MRS. JUSTICE MEENAKSHI I. MEHTA***

Present:- Mr. Sahil Chowdhary, Advocate appearing for
Mr. Nirmaljeet Singh Sidhu, Advocate
for the petitioners.

Mr. Mohinder Singh Joshi, Addl. A.G, Punjab
for respondent No.1-State.

Mr. Tejwinder Singh Hundal, Advocate
for respondents No.2 and 3.

MEENAKSHI I. MEHTA, J. (Oral)

By way of the instant petition, the petitioners have prayed for the quashing of the FIR bearing No.78 dated 08.10.2019 registered at Police Station Nandgarh, District Bathinda, under Sections 498-A & 506 read with Section 34 IPC as well as all the subsequent proceedings arising therefrom, while averring that the parties have arrived at a compromise qua their dispute, leading to the registration of the said FIR.

2. Bereft of unnecessary details, the allegations, levelled by the complainant in the subject FIR, are that the petitioners had been harassing/ maltreating his daughter since two years after her marriage with petitioner No.1 and had also been threatening that they would continue to do so.

3. Vide the order dated 08.02.2023 as passed by the Co-ordinate Bench, the parties had been directed to appear before the Illaqa/Duty Magistrate on 11.04.2023 for recording their statements in respect of the afore-mentioned compromise. In compliance of this order, learned Judicial Magistrate First Class, Bathinda, recorded their (parties') statements and has submitted her report (as already available on the file), while mentioning therein that as per the statements of the parties, the compromise has been arrived at between them voluntarily and without any coercion or undue influence and it is a genuine one and 03 (three) persons namely Bhinder Singh, Karam Singh and Kulwinder Kaur, i.e the petitioners, have been arrayed as the accused in the FIR and as per the record and also the statement of the Investigating Officer, none of them has been declared to be a proclaimed offender and no such proceedings have been initiated or are pending against them. SI Major Singh, the Investigating Officer, has also stated that the petitioners are not involved in any other FIR. Separate statements of all the three petitioners, respondents No.2 and 3 and the said Investigating Officer, have been annexed with the above-said report.

4. I have heard learned counsel for the petitioners as well as learned State counsel and learned counsel for respondents No.2 & 3 in the present petition and have also perused the file carefully.

5. The afore-mentioned compromise has been affected to put the dispute between the parties at rest for all the times to come and the same would promote peaceful, harmonious and cordial relations between them. It being so, there are bleak chances of the conviction of the petitioners and in

these circumstances, the continuation of the proceedings in the case arisen out of the subject FIR, would be an exercise in futility.

6. Keeping in view the above-discussed facts and circumstances and also the observations as made by Hon'ble the Supreme Court in **Gian Singh Versus State of Punjab and another (2012) 4 RCR (Criminal) 543**, the FIR bearing No.78 dated 08.10.2019 as registered at Police Station Nandgarh District Bathinda, under Sections 498-A & 506 read with Section 34 IPC as well as all the subsequent proceedings arising therefrom (if any), are hereby quashed. The petition in hand stands allowed accordingly.

(MEENAKSHI I. MEHTA)
JUDGE

14.07.2023
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Whether speaking/reasoned: Yes
Whether Reportable: No