

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

251

CRM-M-8925-2023

Date of decision: 28.07.2023

Gagandeep Kaur and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Piyush Sharma, Advocate for the petitioners.

Mr. Amit Rana, Sr. DAG, Punjab
for respondent No.1-State.

Mr. Aman Kumar, Advocate for
Mr. J.S. Grewal, Advocate for respondent No.2.

MANJARI NEHRU KAUL, J. (ORAL)

1. The instant petition is for quashing of FIR No.10 dated 25.01.2019 under Sections 454, 380, 494, 420, 465, 467, 471, 120-B and 506 of the IPC (Section 411 and 201 of the IPC added lateron) registered at Police Station Kulgari, District Ferozeupr and all consequential proceedings arising out of the same, on the basis of compromise/Panchayat Nama dated 26.05.2022 (Annexure P-2) arrived at, between the parties.

2. Vide orders dated 20.02.2023/28.04.2023 of Coordinate Bench of this Court, the parties were directed to appear before the learned Trial Court/Illaqa Magistrate to get their statements recorded regarding the compromise arrived at, between them.

3. Report has since been received from learned Judicial Magistrate Ist Class, Ferozepur, in pursuance of the directions of this Court, wherein, the factum of the compromise arrived at between the

parties, except petitioner No.1-Gagandeep Kaur stands verified and confirmed. As per the report, compromise has indeed been effected between the parties and the same is without any pressure or coercion and out of their free will and the complainant has also made statement to the effect that he would have no objection if the FIR *qua* the accused-petitioners except petitioner No.1 is quashed, as respondent No.2-complainant did not know about the whereabouts of petitioner No.1-Gagandeep Kaur.

4. The Trial Court has annexed the statements of the parties in original, alongwith its report.

5. Learned State counsel too submits that there are no other accused other than the petitioners and respondent No.2 is the only aggrieved person in the FIR in question.

6. In view of the report of the learned Judicial Magistrate Ist Class, Ferozepur and the principles laid down by the Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***, and also by the Full Bench of this Court in ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, the aforesaid FIR and all consequential proceedings arising out of it, are quashed qua petitioners No.2 to 4 only. However, since petitioner No.1-Gagandeep Kaur did not appear before the learned Judicial Magistrate Ist Class, Ferozepur, in compliance of order dated 20.02.2023/28.04.2023 to get her statement recorded, the instant petition is dismissed qua her.

7. Needless to say the parties shall remain bound by the terms of compromise and their statements recorded before the Court below.

8. The instant petition stands disposed of accordingly.

28.07.2023

(MANJARI NEHRU KAUL)
JUDGE

Vinay

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No