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

**CRM-M-17380-2023 (O&M)
Date of decision :25.07.2023**

Sandeep Kaur Johal and others

... Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Anmol, Advocate,
for Mr. Karanjeet Singh Brar, Advocate,
for the petitioners.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

Mr. Zubin Chhura, Advocate, for respondent no.2.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 482 Cr.P.C. praying for quashing of FIR No.83 dated 09.12.2022 (**P-1**), under Sections 420, 465, 494, 120-B of the Indian Penal Code, 1860 (for short, '*the IPC*') at Police Station, Sehna, District Barnala, along with all consequential proceedings arising therefrom on the basis of compromise dated 23.01.2023 (**P-2**), entered into between the parties i.e. petitioners as well as respondent No.2.

2. Allegations are that the accused-petitioner No.3, Harmandeep Kaur, being a member of the gang (including petitioner Nos.1 & 2) who act as close relatives of each other, used to cheat innocent people by performing fake marriages. One such marriage was solemnized with the complainant,

Randhir Singh, on 18.02.2022, but after some days, she left his company while taking away cash and gold jewellery from the matrimonial home.

3. The Co-ordinate Bench, while issuing notice of motion on the previous date of hearing i.e. 12.04.2023, passed the following order:-

“The petitioners seek quashing of FIR No. 83 dated 09.12.2022 registered at Police Station Sehna, District Barnala under Sections 420, 465, 494, 120-B IPC on the basis of compromise.

Notice of motion.

Mr. Kamalpreet Bawa, AAG Punjab accepts notice on behalf of respondent No. 1 and waives service.

Mr. Rajat Dogra, Advocate puts in appearance on behalf of respondent No. 2 and waives service.

Learned counsel for respondent No. 2 admits the factum of compromise.

The parties are directed to appear before the trial Court/Illaq Magistrate on 15.05.2023 at 10.00 a.m. and get their statements recorded and thereafter the trial Court shall transmit its report to this Court regarding genuineness of compromise before the next date of hearing i.e. 20.07.2023.”

4. In terms of aforesaid order, the statements of both the parties were recorded by learned Judicial Magistrate First Class, Barnala and submitted a report dated 18.05.2023. The operative part of the same reads as under:-

“From the statements of both the parties as well as the IO of the case, the compromise appears to be genuine, voluntary and without any coercion or undue influence”

5. A perusal of the aforesaid report clearly reveals that the matter has been compromised by both the parties with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no objection by either of the parties against the compromise.

6. Learned State Counsel, on instructions from the police official present in the Court, also submitted that they have no objection in case the aforesaid FIR as well as consequential proceedings are quashed on the basis of the compromise effected between the parties.

7. In view of above, this Court is fully convinced that the offence is entirely personal in nature and does not involve any public funds. Thus, quashing of the FIR in question along with consequential proceedings, on the basis of compromise would bring peace and harmony to secure the ends of justice.

8. Consequently, present petition is allowed; aforesaid FIR along with all consequential proceedings resulting therefrom are quashed qua the petitioners. However, as a deterrence for the future, petitioners are burdened with costs of Rs. 25,000/-. Costs be deposited with Advocates Welfare Fund, Punjab and Haryana High Court Bar Association, Chandigarh.

25.07.2023

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(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/ reasoned : Yes/No

Whether reportable : Yes/No