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

**CRM-M-19430-2023 (O&M)
Date of decision :04.08.2023**

Kiranjit Kaur alias Kiranjit Kaur Dhaliwal and others ... Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Sukhdeep Singh Bhinder and
Mr. Dilraj Singh Bhinder, Advocates, for the petitioners.

Mr. Joginder Pal Ratra, Sr. Deputy Advocate General, Punjab,
For respondent no. 1.

Mr. Birinder Pal, 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), registered under Sections 420, 465, 494, 120-B of the Indian Penal Code, at Police Station Sehna, District Barnala, along with all consequential proceedings arising therefrom on the basis of compromise dated 03.02.2023 (P-2), entered into between the parties i.e. petitioners as well as respondent No.2.

2. As per prosecution case, petitioners (members of a gang), claiming to be close relative of each other, used to cheat innocent people by performing fake marriages. One such marriage was solemnized by Ms. Harmandeep Kaur 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 21.04.2023, 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. Birinder Pal, Advocate, puts in appearance and accepts notice 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 25.05.2023 for getting their statements recorded. After recording the statements of the parties, the trial Court/ Illaq Magistrate shall send a report to this Court regarding genuineness of compromise between them well before the next date of hearing.

Adjourned to 17.07.2023.”

4. In terms of aforesaid order, the statements of both the parties were recorded by learned Judicial Magistrate 1st Class, Barnala and submitted a report dated 26.05.2023. 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. Complainant has placed on file copy of compromise as Ex.PA. There is no other case pending against the accused persons. There is one victim in the present case which is the complainant, Randhir Singh whose statement has been separately recorded. The complainant and the accused persons are party to the compromise dated 3.2.2023.”

5. A perusal of the aforesaid report clearly reveals that matter has been compromised by both sides i.e. petitioners as well as respondent no. 2 with their free consent, voluntarily and without any coercion or undue influence. Even before this Court also, there is no

grievance shown by either of the parties against each other.

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. Also noteworthy that CRM-M-17380-2023 filed by co-accused Sandeep Kaur Johal and others was allowed by this Court vide order dated 25.07.2023, and FIR in question was quashed qua them.

8. In view of the above, this Court is fully convinced that the offences alleged are entirely personal in nature and do 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 shall pay costs of Rs.25,000/-; which shall be deposited with Punjab and Haryana High Court Bar Association, Chandigarh Lawyers Family Welfare Fund.

04.08.2023

VS

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking/ reasoned : Yes/No

Whether reportable : Yes/No