

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

280

CRM-M-25334-2022(O&M)

Date of decision : 29.05.2023

Lovepreet Singh and Anr.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Manoj Kumar Pundir , Advocate
for the petitioners.

Mr. Mohinder Singh Joshi, Additional A.G. Punjab.

Mr. Vikramjeet Singh, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Lovepreet Singh and Jaspreet Singh @ Jassu have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.21 dated 22.01.2021, under Section 354, 354-A, 354-D, 380, 506, 509 and 34 of IPC, registered at Police Station City Kharar, District SAS Nagar, Mohali and all other subsequent proceedings on the basis of compromise between the parties dated 27.05.2022 (Annexure P-2).

As per the facts of the case, the complainant –Harminder Kaur gave her statement to the police that she was running a Karyana shop in the house. For the last four years, her husband has gone abroad. Her maternal grandmother namely- Surjit Kaur was residing alone, therefore, she along with her two

daughters started residing with her maternal grandmother for the last about four years. About 10-11 months ago Jaspreet Singh @ Jassu had sent some objectionable/vulgar messages to her from the mobile phone of his uncle Sandeep @ Soni. She had disclosed this fact to her maternal grandmother and the matter was brought to the notice of the parents of Jaspreet Singh @ Jassu who reprimand him. About 6-7 months ago Jaspreet Singh @ Jassu came to her Karyana shop for purchasing snaks, when she was picking up a packet, he caught hold of her from her waist with bad intention. On the alarm raised by her, her maternal grandmother reached there and he released her. The parents of Jaspreet Singh @ Jassu were again informed who apologized for the mistake of their son. She remained mum. She also noticed that her gold ear-rings and one gold ring (gents) kept in her house were also missing. She doubted Jaspreet Singh @ Jassu for taking away the said gold ornaments when he visited the house in her absence. On 10.12.2020, she filed a complaint against Jaspreet Singh @ Jassu and Narinder Singh for causing harassment to her by calling and sending messages to her. Her relatives tried to make him understand as he was minor at that time. She again received call from time to time from Lovepreet Singh and his brother Jaspreet Singh @ Jassu. She noticed that brother of Jaspreet Singh @ Jassu namely Lovepreet Singh was also involved in these incidents. The matter was enquired and the present FIR has been registered.

Learned State counsel has filed status report, which is taken on record.

The petitioners filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioners 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 Sub Divisional Judicial Magistrate, Kharar, dated 18.05.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioners. 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 petitioners-Lovepreet Singh and Jaspreet Singh @ Jassu have also confirmed this fact in their separate statement. The statement of ASI Kamaljit Singh is also recorded who further confirmed that the accused are neither involved in any other case nor have been declared as proclaimed offenders.

Therefore, from the report of Sub Divisional Judicial Magistrate, Kharar, 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 same locality, it would enable them to live in peace and harmony. They have mutually settled all the disputes. It will also prevent future litigation. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and FIR No.21 dated 22.01.2021, under Section 354, 354-A, 354-D, 380, 506, 509 and 34 of IPC, registered at Police Station City Kharar, District SAS Nagar, Mohali and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.05.2023
Sunil Devi

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