

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-25990-2023

Date of decision:-21.08.2023

Sukhdeep Kaur and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE SUVIR SEHGAL

Present : Mr.K.S. Sidhu, Advocate
for the petitioners.

Mr.Anup Singh, AAG, Punjab.

Mr.Jashandeep Sandhu, Advocate
for respondent No.2.

SUVIR SEHGAL, J.(ORAL)

1. Instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.60 dated 29.04.2023, under Sections 384, 506, 120-B IPC, registered at Police Station Dayalpura, District Bathinda, Annexure P1, along with all subsequent proceedings arising therefrom, on the basis of compromise dated 30.04.2023 Annexure P-2, arrived at between the parties and affidavit dated 03.05.2023, Annexure P3 executed by the complainant.

2. Counsel for the petitioners submits that the FIR is an outcome of the financial dispute between the parties and false allegations have been levelled. He submits that the matter has been resolved by Panchayati compromise, Annexure P2, which was entered

into immediately after the registration of the FIR.

3. Upon instructions from ASI Balwinder Singh, State counsel submits that the matter is under investigation.

4. Counsel for the respondent No.2/complainant has admitted the factum of compromise and does not oppose the prayer made in the petition.

5. Heard counsel for the parties.

6. Pursuant to order dated 26.05.2023 passed by this Court, report has been received from the Trial Court, relevant extract of which is as under:-

“1. As per the statement of ASI Kuldeep Singh, No.1815/BTI – Investigating Officer, there are two persons arrayed as accused, namely, Sukhdeep Kaur and Gurpreet Singh.

2. As per the statement of ASI Kuldeep Singh, No.1815/BTI – Investigating Officer, no accused is declared as proclaimed offender.

3. The compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence.

4. As per the statement of ASI Kuldeep Singh – Investigating Officer, the accused persons are not involved in any other case, except the present one.

5. As per the statement of ASI Kuldeep Singh – Investigating Officer, there is only one victim/complainant, namely, Shingara Singh involved in the present case and the case is at initial stage and the challan is yet to be presented.”

7. In view of this development, report of the Trial Court and

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judgment of the Supreme Court in *Gian Singh Versus State of Punjab and another, 2012(4) RCR (Criminal) 543* and a Full Bench of this Court in *Kulwinder Singh vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052*, this Court is of the view that keeping the criminal proceedings alive would not serve any purpose and setting them aside would enable the parties to lead a harmonious and peaceful life.

8. Accordingly, the petition is allowed. FIR No.60 dated 29.04.2023, under Sections 384, 506, 120-B IPC, registered at Police Station Dayalpura, District Bathinda, Annexure P1 along with all subsequent proceedings arising therefrom, are quashed qua the petitioners.

(SUVIR SEHGAL)
JUDGE

21.08.2023
Brij

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No