

Date of decision: 20.09.2023

...PETITIONER

...RESPONDENTS

RENU BALA
2023.09.21 16:07
I attest to the accuracy and
integrity of this document

Ans: FIR was registered by Jasneet Kaur complainant against Gurdish Singh @ Harsimran Singh. Except this accused, no other accused is involved in present FIR.

Ques 2: Whether any accused is proclaimed offender:

Ans: No person has been declared as proclaimed offender in the present FIR.

Ques 3: Whether the accused persons are involved in any other case or not:

Ans: Except present FIR, the accused are not involved in any other case.

Ques 4: Whether compromise is genuine, voluntary and without any coercion or undue influence:

Ans: Compromise effected between the parties with their own free will without any coercion or undue influence.

Ques 5: How many victims/complainants are there in the FIR:

Ans: The complainant/victim in present FIR is only one namely Jasneet Kaur d/o Hardip Singh.”

5. Learned counsel for the petitioner contends that as per the allegations, the petitioner had outraged the modesty of respondent No.2. Although, the FIR has also been registered against Harleen Kaur, the co-accused but during the course of investigation, she has been found to be innocent. The dispute has been amicably settled between the parties in view of the compromise (Annexure P-2). The petitioner and respondent No.2 are students and amicable settlement will help in maintaining cordial relations between the parties in future.

6. Learned counsel for respondent No.2 states that he has no objection if FIR is quashed.

7. After hearing the learned counsel for the parties and going through the record of the case, this Court is of the considered opinion that it is a fit case for exercising the inherent jurisdiction of this Court under Section 482 Cr.P.C., so as to secure the ends of justice because the parties have arrived at a settlement,

out of the Court, by way of compromise. The compromise is without any

pressure and a genuine one. In such a situation, continuation of the prosecution would result in sheer abuse of process of law.

8. The controversy in the instant case does not indicate that the same involves heinous or serious offences and furthermore, the private dispute has been sought to be amicably settled. Consequently, a deserving case is made out where the court should exercise the power to secure the ends of justice.

9. For the aforesaid view, this Court finds support from ***Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052***, approved by Hon'ble Apex Court in ***Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303***.

10. Considering the peculiar facts and circumstances of the case noted above, coupled with the reasons aforementioned and to secure the ends of justice, FIR No.84 dated 31.03.2022 under Sections 323/341/354/506/120-B IPC, 1860 registered at Police Station Cantonment, District Amritsar and all the consequential proceedings arising therefrom, are ordered to be quashed, however, qua the petitioner only.

11. Resultantly, with the above-said observations made, the instant petition stands allowed.

20.09.2023

renubala

(VIVEK PURI)
JUDGE

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