

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

274

CRM-M-36441-2022

Date of decision : 17.01.2023

Lakhwinder Singh @ Gora and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present: Mr. Gurmeet Singh Saini, Advocate,
for the petitioners.

Mr. Hemant Aggarwal, AAG, Punjab.

Mr. B.S.Sidhu, Advocate,
for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners-Lakhwinder Singh @ Gora, Shinder Kaur, Ramandeep Kaur and Jatinder Kaur @ Nandi have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.0015 dated 03.07.2018, registered under Sections 452, 506, 354, 323, 34 IPC at Police Station Arif Ke, District Ferozepur and all other subsequent proceedings on the basis of compromise between the parties (Annexure P-2).

The brief facts of the case are that complainant-Sharanjeet Kaur gave her statement to the police that on 01.07.2018 at about 10:15 a.m. she was cleaning the utensils in the court yard. Her mother and sister were sitting in the room. Their neighbor Lakhwinder Singh @ Gora armed with *dang*, Shinder Kaur armed with wooden rod, Ramandeep Kaur @ Matti

armed with wooden stick and Jatinder Kaur @ Nindi empty handed entered their house abusing them. Lakhwinder Singh @ Gora gave *dang* blow which hit on her head, Shinder Kaur gave rod blow on her back and Ramandeep kaur @ Matti gave stick blow which hit on her eye, as a result of which her spectacles were broken. Her mother and sister raised alarm for help. Rashpal Singh also reached at the spot and managed to rescue her. The accused threatened that her father should not give statement against them in a case registered under Section 376. With these allegations, present FIR has been registered.

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/Illaqa Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the court of Judicial Magistrate First Class, Ferozepur dated 12.09.2022. The statement of respondent No.2- Sharanjeet Kaur 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- Lakhwinder Singh @ Gora, Shinder Kaur, Ramandeep Kaur and Jatinder Kaur @ Nandi have also confirmed this fact in their separate statements. The statement of ASI Sukhpal 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 Judicial Magistrate First Class, Ferozepur, 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.0015 dated 03.07.2018, registered under Sections 452, 506, 354, 323, 34 IPC at Police Station Arif Ke, District Ferozepur and the consequential proceedings arising there from are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

17.01.2023
Sunil Devi

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