

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

**CRM-M-35197-2023
Date of decision: 15.12.2023**

IQBAL SINGH ALIAS BHINDERPetitioner

versus

STATE OF PUNJAB AND OTHERSRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Harpreet Singh, Addl. A.G., Punjab.

Mr. Rajesh Punj, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.16 dated 02.03.2023, under Sections 323, 341, 354, 354-A and 379-B IPC, registered at Police Station Rahon, District SBS Nagar (Annexure P-1), on the basis of compromise dated 29.05.2023 (Annexure P-2), arrived at between the parties.

[2] It is contended by learned counsel for the petitioner that compromise has been effected between the petitioner and respondent Nos.2 and 3. The petitioner and respondent No.2/complainant have ended all their disputes and grudges and they are now residing together in the same house as husband and wife.

[3] Learned State counsel has informed that there were total 7 accused out of which 5 persons have been declared as innocent. Challan was presented only against the present petitioners.

[4] On 24.07.2023, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] The report dated 11.10.2023 of the Additional Chief Judicial Magistrate, Shaheed Bhagat Singh Nagar, through the District & Sessions Judge, SBS Nagar, has been received. As per the report, the matter stands compromised between the petitioner and respondent No.2-Jaismeen Saini. The complainant/respondent No.2- Jaismeen Saini have stated before the said Court that she got married with the petitioner-accused Iqbal Singh @ Bhinder and now, they want to put an end to all the grudges and dispute. They are now residing in the same house as husband and wife and they have no objection if the FIR is quashed. The relevant portion of the said report reads as under:

“Accordingly, complainant Jaismeen Saini daughter of Harjeet Singh now wife of Iqbal Singh @ Bhinder and Aarti Saini wife of Harjeet Singh, both residents of Mohalla Pahar Singh, Rahon, Tehsil Nawanshahr, District Shaheed Bhagat Singh Nagar, identified by Sh. Bhanu Bhardwaj Advocate, appeared in Court and made statements that they have compromised the matter with their own free will and without any undue influence and coercion with the accused Iqbal Singh @ Bhinder in FIR No.16 dated 02.03.2023, under Sections 323, 341, 354, 354-A and 379-B of Indian Penal Code, Police Station Rahon, which was reduced into writing and produce true photostat copy of the compromise as Annexure-A. Complainant Jaismeen Saini further stated that she has got married with accused Iqbal Singh @ Bhinder son of Jaswinder Singh @ Jassa Singh, resident of Mohalla Pahar Singh, Rahon, District SBS Nagar and put their all grudge, disputes/litigation to the end. They are now residing together in the same house as husband and wife. She produced the copy of her Adhar Card as Annexure-B. They further stated that they have no objection if the present FIR be quashed in favour of accused/petitioner namely Iqbal Singh alias Bhinder. They produce photocopy of their Adhar Cards as Annexure-B and Annexure-C.”

[6] Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others** 2007 (3) RCR (Criminal) 1052, has held that the High Court has power under Section 482 Cr.P.C. to allow the compounding of non-compoundable offences and quash the proceeding where the High Court is of the

opinion that it is required to prevent the abuse of process of law or otherwise to secure the ends of justice.

[7] Since compromise has been effected between the parties and petitioner-Iqbal Singh @ Bhinder and respondent No.2-Jaismeen Saini have put an end to all their grudges/disputes and they are now living together as husband and wife, as such, this Court feels that in order to secure the ends of justice, the criminal proceedings deserve to be quashed.

[8] Consequently, this petition is allowed and FIR No.16 dated 02.03.2023, under Sections 323, 341, 354, 354-A and 379-B IPC, registered at Police Station Rahon, District SBS Nagar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] Pending miscellaneous application (s), if any, shall also stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

15.12.2023
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No