

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-51973-2022

Date of decision : 19.05.2023

Sukhwinder Singh @ Soni

..... Petitioner

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. J.S. Ghuman, Advocate for
Mr. Rahul Arora, Advocate
for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

Mr. Piyush Sharma, Advocate for
Mr. Vineet Sachdeva, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioner- Sukhwinder Singh @ Soni has filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No.33 dated 25.03.2022, under Section 354 of IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station Kulgari, District Ferozepur and all other subsequent proceedings on the basis of compromise between the parties dated 10.10.2022 (Annexure P-3).

As per the facts of the case, the complainant –Amandeep Kaur gave

her statement that her marriage was solemnized with Jand Singh about 18 years

ago. Her husband expired 3-4 years ago. She is having three children. She belongs to *Majbi Sikh* caste. On 22.03.2022, she was going to the fields of Kala Singh for plucking peas, where some other ladies were also working. At about 09:30 AM, when she was on kacha path near the fields of Billu, Soni was standing there in the Mustard fields. He caught hold of her arm and started dragging her towards the fields. She resisted him from doing wrongful act with her. He started saying derogatory words to her and also abused her. On the alarm raised by her, she was rescued by the other ladies and on this Soni ran away from the spot. With these allegations, the present FIR was registered.

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

The petitioner filed this petition for the quashing of aforesaid FIR on the basis of compromise. The petitioner 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 Judicial Magistrate 1st Class, Ferozepur dated 13.04.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioner. 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 petitioner- Sukhwinder Singh @ Soni also confirmed this fact in his separate statement. The statement of SI Sone is also recorded who further confirmed that the accused is neither involved in any other case nor has been declared as proclaimed offender.

Therefore, from the report of Judicial Magistrate 1st 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 village, it would enable them to live in peace and harmony. They have mutually settled all their disputes. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioner is accepted and FIR No.33 dated 25.03.2022, under Section 354 of IPC and Section 3 of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, registered at Police Station Kulgari, District Ferozepur and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

19.05.2023.
Sunil Devi

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