

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-46633-2019
Date of decision : 29.04.2023

Kulwinder Kaur and Ors.

..... Petitioners

V/S

State of Punjab and Anr.

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Ms. Navdeep Kaur, Advocate for
Mr. Prabhjot Singh, Advocate
for the petitioners.

Mr. M.S.Joshi, Addl. A.G. Punjab.

Mr. Amit Dhawan, Advocate for respondent No.2.

AMARJOT BHATTI J. (ORAL)

The petitioners- Kulwinder Kaur, Suman, Sukhwinder and Kamaljit have filed the instant petition under Section 482 of Cr.P.C. for quashing of cross version DDR No.44 dated 11.02.2019, registered under Section 354-A of IPC, at Police Station Sadar Jalandhar, District Jalandhar in FIR No.25 dated 11.02.2019, registered under Sections 323, 452, 427 of IPC, at Police Station Sadar Jalandhar, District Jalandhar all other subsequent proceedings on the basis of compromise between the parties (Annexure P-3).

As per the facts of the case, the complainant –Hena daughter of Anil Kumar gave her statement that on 05.02.2019 at about 6:30 PM she along with her

aunt Preet were returning home. Sukhwinder @ Buddu, who is their neighbour was standing in the street and he caught hold of her arm and outraged her modesty by touching her. She ran towards her house and disclosed about the incident to her parents. Her parents and her brother-Nonu came outside and objected the conduct of Sukhwinder @ Buddu. He started altercating with her father and called his family members. His brother-Kamaljit, his wife-Summon and sister Kulwinder also reached there and started altercation with her mother. They misbehaved with them. Even earlier Sukhwinder @ Buddu had misbehaved with her but she did not say anything to save her honour. With these allegations, the present DDR has been registered.

The petitioners filed this petition for the quashing of aforesaid DDR on the basis of compromise. The petitioners 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 reports regarding compromise have been received from the court of Additional Chief Judicial Magistrate, Jalandhar dated 29.07.2022 and 28.02.2023 respectively. The statement of respondent No.2 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 DDR.

The petitioners-Kulwinder Kaur, Suman, Sukhwinder and Kamaljit have also confirmed this fact in their separate statements. The statement of SI Narinder Mohan 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 Additional Chief Judicial Magistrate, Jalandhar, 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 their disputes. It will end all litigation started between them. The case registered on the basis of main FIR is also compromised along with this case. No purpose would be served with the continuation of criminal proceedings.

Therefore considering these facts the petition filed by the petitioners is accepted and cross version DDR No.44 dated 11.02.2019, registered under Section 354-A of IPC, at Police Station Sadar Jalandhar, District Jalandhar in FIR No.25 dated 11.02.2019, registered under Sections 323, 452, 427 of IPC, at Police Station Sadar Jalandhar, District Jalandhar and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

29.04.2023.
Sunil Devi

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