

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

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CRM-M-60985-2022

Date of decision : 27.03.2023

Iqbal Singh @ Kala and another

..... Petitioners

V/S

State of Punjab and another

..... Respondents

CORAM : HON'BLE MS. JUSTICE AMARJOT BHATTI

Present: Mr. Shekhar Kumar, Advocate
for the petitioners.

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

Mr. M.S. Chauhan, Advocate for the complainant/respondent No. 2.

AMARJOT BHATTI J. (ORAL)

The petitioners – Iqbal Singh @ Kala and Darshan Singh have filed the instant petition under Section 482 of Cr.P.C. for quashing of FIR No. 98 dated 29.07.2022 (Annexure P-1), registered under Sections 354 and 354-A of IPC at Police Station Badhni Kalan, District Moga, Punjab and all other subsequent proceedings, on the basis of compromise arrived at between the parties (Annexure P-2).

The facts of the case are that the complainant Surjeet Kaur filed a written complaint that she is doing household work as well as labour work. On 26.07.2020, on Sunday, she went to the fields along with her husband. Her husband had gone a little ahead to collect the fire wood when two persons in

drunkard condition started telling her to go along with them. She refused and on this they started compelling her and had torn her clothes. She raised an alarm and her husband reached there. The said persons started objecting that she was looking at them while they were doing distillation of liquor for their personal consumption. Later on, the identity of said persons was revealed as Iqbal Singh @ Kala and Darshan Singh. On this written complaint, the matter was inquired and the present FIR has been registered.

The petitioners have 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 learned Illaqa/Duty Magistrate for recording their statements on the basis of compromise. The detailed report regarding compromise has been received from the Court of Sub Divisional Judicial Magistrate, Nihal Singh Wala, District Moga dated 23.02.2023. The statement of respondent No.2 has been recorded, where she confirmed the compromise with the petitioners. She confirmed that this compromise is genuine, voluntary and without any coercion or undue influence and she has no objection regarding quashing of FIR.

The petitioners – Darshan Singh and Iqbal Singh also confirmed this fact in their separate statements. The statement of ASI Pritam Singh, No. 513/Moga, Police Station Badhni Kalan is also recorded who further confirmed that the accused persons are not declared proclaimed offender in the present case and there is no other criminal proceedings against them.

Therefore, from the report of Sub Divisional Judicial Magistrate, Nihal Singh Wala, District Moga, 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. They have mutually settled all their disputes. They

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will be able to live in peace and harmony, as they live in the same area. No purpose would be served with the continuation of criminal proceedings.

Therefore, considering these facts, the petition filed by the petitioners Iqbal Singh @ Kala and Darshan Singh is accepted and FIR No. 98 dated 29.07.2022, under Sections 354 and 354-A of IPC, registered at Police Station Badhni Kalan, District Moga, Punjab and the consequential proceedings arising therefrom are quashed.

Accordingly, the present petition stands accepted.

(AMARJOT BHATTI)
JUDGE

27.03.2023
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Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No