

CRM-M-54555-2019

2023:PHHC:067050
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235 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-54555-2019
DATE OF DECISION:-08.05.2023

Jagdish Kaur and others

...Petitioners.

vs.

State of Punjab and another

...Respondents..

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Angad Parmar, Advocate for
Mr. Vivek K. Thakur, Advocate,
for the petitioners.

Mr. V.K. Gupta, AAG, Punjab.

Ms. Mehak Bedi, Advocate for
Mr. Mohit Kumar, Advocate,
for respondent No.2.

HARKESH MANUJA, J.

1. By way of present petition under Section 482 Cr.P.C., prayer has been made for quashing of FIR No.0038, dated 04.06.2019, under Sections 328, 120-B and 34 IPC, registered at Police Station Begowal, District Kapurthala (Annexure P-1) alongwith all the subsequent proceedings arising therefrom, on the basis of compromise.

2. Present FIR is an offshoot of matrimonial dispute between petitioner No.4 and respondent No.2/complainant, who have now agreed to part their ways.

3. In pursuance to orders dated 25.02.2021 and 13.10.2021 passed by this Court, whereby the parties were directed to appear before the trial

court for getting their statements recorded as regards the veracity of compromise arrived at between them, a report dated 17.11.2021 has been received from the concerned court, stating that the compromise has been arrived in between the parties voluntarily without any pressure or coercion. There are total 4 accused, namely, Jagdish Kaur, Balwinder Kaur, Lakhwinder Singh and Raghbir Singh, however, Lakhwinder Singh and Raghbir Singh, who are appearing through special attorney, got recorded their statements through video conferencing as they are now residing in Italy. No other proceeding is pending against the accused.

4. Thus once, the compromise has been arrived at between the parties without any pressure and respondent No.2 having no objection as regards quashing of FIR as well as all other subsequent proceedings arising out of the same against the petitioners; there does not appear to be any impediment as regards quashing of present FIR qua the petitioners. Even otherwise, in order to maintain peace and harmony between the parties, particularly under the circumstances wherein the alleged offences have no societal interest involved, it would be appropriate to render complete quietus to the aforementioned dispute by quashing the FIR on the basis of compromise entered into between the parties.

5. The parties having settled their dispute so as to live in peace in future, no useful purpose would be served by proceeding further with the criminal proceedings. In the light of above developments, no cause remains for the trial Court to invest further time and effort in adjudicating this FIR. The compromise in question is even found to be fully in consonance with the direction issued by the Court in *Kulwinder Singh & Ors. Vs. State of*

Punjab 2007(3) RCR (Criminal) 1052 and Gian Singh Vs. State of Punjab

& Anr., 2012(4) RCR (Crl.) 543.

6. Thus, in view of the aforesaid report, accompanied by statements of both the parties as well as keeping in mind the law laid down in the aforementioned judgments, the FIR No.0038, dated 04.06.2019, under Sections 328, 120-B and 34 IPC, registered at Police Station Begowal, District Kapurthala (Annexure P-1) as well as all the subsequent proceedings arising therefrom are hereby quashed qua the petitioners.

7. Accordingly, petition stands allowed subject to payment of costs of Rs.20,000/- to be deposited with the Punjab and Haryana High Court Association Lawyer's Family Welfare Fund having Account No.41564846387 with State Bank of India, High Court Branch, Chandigarh, within a period of two weeks from today.

08.05.2023

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(HARKESH MANUJA)
JUDGE

whether speaking/reasoned: Yes/No
whether reportable: Yes/No