



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

279

CRM-M-5879-2024(O&M)
Date of Decision: 03.07.2024

BHAJAN KAUR @ HARBHAJAN KAUR AND OTHERS
.....Petitioners
VERSUS
STATE OF PUNJAB AND OTHERS
.....Respondents

CORAM : HON'BLE MRS. JUSTICE MANISHA BATRA

Present : Mr. Ravi Malhotra, Advocate for the petitioners.
Mr. Satjot Singh, AAG, Punjab.
Mr. Prashant Bansal, Advocate for respondents no.2 & 3.

MANISHA BATRA, J. (Oral)

The present petition has been filed under Section 482 of Code of Criminal Procedure for quashing of FIR No.0085 dated 09.11.2016 under Sections 325, 323, 506, 148, 149 of IPC, 1860 registered at Police Station Kheri Gandian, District Patiala and all the subsequent proceedings arising therefrom, on the basis of compromise dated 13.10.2023 (Annexure P-2).

2 . This Court vide order dated 05.02.2024 had directed the parties to appear before the trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

3. Pursuant to the aforesaid order, parties have appeared before the learned Judicial Magistrate 1st Class, Rajpura and got their statements recorded. On the basis of the statements so recorded, learned Magistrate has submitted report dated 20.03.2024 to the effect that the compromise has been effected between the parties voluntarily and without any coercion or undue influence.



4. Report has been received from the concerned Magistrate and has been perused. It is emanating from the report that petitioner no.1 was neither cited as an accused in the FIR nor challan has been presented against her, therefore, at this stage, learned counsel for the petitioners seeks withdrawal of the petition qua petitioner no.1. In view of this statement, the petition may be dismissed as withdrawn qua petitioner no.1. Hence, the petition is dismissed as withdrawn qua petitioner no.1.

5. Learned State counsel as well as counsel for respondent No.2 have not disputed the factum of compromise between the parties.

6. In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant FIR.

7. Following the principles laid down by the Full Bench judgment of this Court in *Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052* and approved by the Hon'ble Supreme Court in *Gian Singh Versus State of Punjab and others (2012) 10 SCC 303*, this petition is allowed and FIR No.0085 dated 09.11.2016 under Sections 325, 323, 506, 148, 149 of IPC, 1860 registered at Police Station Kheri Gandian, District Patiala and all subsequent proceedings arising therefrom on the basis of compromise dated 13.10.2023 (Annexure P-2) are quashed qua petitioners no.2 to 7.

(MANISHA BATRA)
JUDGE

03.07.2024
Deepak Patwal

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No