

321 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10230-2024 (O&M)
Date of Decision: 06.05.2024

ASHA MISHRA ... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER ... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Prikshit Thakur, Advocate for
Mr. Kashav Chadha, Advocate for the petitioner.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Ruhani Chadha, Advocate, for respondent No. 2.

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HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of General Diary No.30 dated 30.07.2023, registered under Sections 354 and 323 IPC, at Police Station Division No.8, District Jalandhar in FIR No.124 dated 11.06.2023, Police Station Division No.8, District Jalandhar, under Sections 354 and 323 IPC (Annexure P-1) alongwith all the subsequent proceedings arising therefrom, on the basis of compromise deed dated 20.12.2023 (Annexure P-3) executed between the parties.

[2] Learned counsel for the petitioner *inter alia* contends that the allegations against the petitioner are that she had hurled abuses to respondent No.2, misbehaved with her and outraged her modesty by tearing her clothes whereas FIR No. 124 (aforesaid) has been registered at the instance of the petitioner. This is a version and cross-version case. Now with the intervention of the respectables, the said dispute has been

amicably settled between the parties and as such, respondent No.2

does not want to take any action in the said case.

[3] Learned counsel appearing on behalf of respondent No. 2 has confirmed the factum of compromise between the parties.

[4] On 28.02.2024, the parties were directed to appear before the trial Court/Illaq Magistrate for recording of their statements regarding the compromise.

[5] As per the report dated 21.03.2024, received from the learned Judicial Magistrate First Class, Jalandhar the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as "Proclaimed Offender".

[6] Learned State counsel has not raised any objection regarding the acceptance of the present petition.

[7] Keeping in view the facts and circumstances of the case, the fact that the compromise between the parties is genuine and voluntarily made and in view of the ratio of the decision of Hon'ble Apex Court in **Gian Singh Versus State of Punjab (SC) 2012 (4) RCR (Criminal) 543** and the decision of Hon'ble the Full Bench of this Court in **Kulwinder Singh and others vs. State of Punjab and others 2007 (3) RCR (Criminal) 1052,** the ends of justice would meet if the FIR and consequential proceedings are quashed by accepting the compromise between the parties.

[8] Consequently, this petition is allowed and General Diary No.30 dated 30.07.2023, registered under Sections 354 and 323 IPC, at Police Station Division No.8, District Jalandhar in FIR No.124 dated 11.06.2023, Police Station Division No.8, District Jalandhar, under Sections 354 and 323 IPC and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9] Pending miscellaneous application(s), if any, shall also stand disposed of.

06.05.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No