

CRM-M-19508-2023 (O&M) - 1 -

2024 : PHHC : 039231

313/2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19508-2023 (O&M)

Date of Decision: 18.03.2024

JASVIR KAUR AND OTHERS

... PETITIONERS

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Munish Garg, Advocate for the petitioners.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
Mr. Nikhil K. Vashisht, Advocate for respondent No.2.
* * *

HARPREET KAUR JEEWAN, J. (ORAL)

[1] The present petition has been filed under Section 482 Cr.P.C. for quashing of GD No. 38 dated 11.06.2022, under Sections 323, 295, 506, 34 of IPC, 1860, registered at Police Station Phillaur, District Jalandhar Rural, Punjab (Annexure P-1) and all subsequent proceedings arising thereto on the basis of compromise deed dated 01.07.2022 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioners contends that the parties are residents of the same village. The case was registered on account of personal litigation. This is cross-version case of FIR No. 144 dated 11.06.2022, under Sections 323, 354, 506, 34 of IPC, registered at Police Station Phillaur. Now with the intervention of the respectables, the parties have resolved their dispute. As such, respondent No.2-complainant does not want to take any action in the present GD no. 38 dated 11.06.2022.

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

[4] On 20.04.2023, the parties were directed to appear before the trial Court/Illaqa Magistrate for recording of their statements regarding the

compromise.

[5] As per the report dated 04.11.2023, received from learned Sub-Divisional Judicial Magistrate, Phillaur, the compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioners have not been declared as “Proclaimed Offender” and they are not involved in any other criminal case.

[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 GD No. 38 dated 11.06.2022, under Sections 323, 295, 506, 34 of IPC, 1860 registered at Police Station Phillaur, District Jalandhar Rural, Punjab and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioners.

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

18.03.2024

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(HARPREET KAUR JEEWAN)
JUDGE

Whether speaking/reasoned : Yes/No ;
Whether reportable : Yes/No