



Sr. No.138

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

**CRM-M-31788-2024 (O&M)
Date of decision: 23rd September 2024**

BHAGWAN SINGH AND ANOTHERPetitioners

versus

STATE OF PUNJAB AND ANOTHERRespondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Prarthana Duggal, Advocate
for the petitioners.

Ms. Himani Arora, AAG, Punjab.

Ms. Lalita Kashyap, Advocate
for respondent No.2.

HARPREET KAUR JEEWAN, J.

1. The instant petition has been filed under Section 482 of the Code of Criminal Procedure, 1973 for quashing of FIR No.37 dated 16.04.2022, under Sections 354, 323, 511, 34 IPC, 1860, registered at Police Station Lohian, District Jalandhar (Annexure P-1) and all subsequent proceedings arising therefrom, on the basis of compromise deed dated 18.05.2024 (Annexure P-2).

2. Learned counsel for the petitioners contends that the parties have effected a compromise, which has been reduced into writing on 18.05.2024 (Annexure P-2), as such, respondent No.2 does not want to take any action against the petitioners in the present FIR.

3. After issuance of notice of motion on 08.07.2024, Ms. Lalita Kashyap, Advocate had put in appearance on behalf of respondent No.2, but she did not file '*vakalatnama*' on behalf of respondent No.2. The matter was adjourned for 05.08.2024. Thereafter on 11.09.2024, neither '*vakalatnama*' on behalf of



respondent No.2 was filed nor there was any representation on her behalf. Even today, no '*vakalatnama*' has been filed on behalf of respondent No.2.

4. Learned State counsel has filed status report dated 10.09.2024, by way of affidavit of Sh. Onkar Singh Brar, PPS, Deputy Superintendent of Police, Sub-Division Shahkot, District Jalandhar (Rural) on behalf of respondent-State of Punjab, which is taken on record.

5. I have heard, learned counsel for the petitioners as well as the learned State counsel and perused the relevant documents.

6. The present FIR has been registered against the petitioners under Sections 354, 323, 511, 34 IPC. However, as per the status report, offence under Sections 25-27, 54, 59 of the Arms Act, 1959 was added later on.

7. As per allegations levelled in the FIR, the husband of respondent No.2 has been living in Spain for the last eight years. Respondent No.2 is residing along with her two minor children in a separate portion in the same house, where Bhagwan Singh-petitioner No.1, who is the father-in-law of respondent No.2, is residing. On 30.03.2022, at around 5:00 am, when respondent No.2 was sleeping, petitioner No.1 forcibly entered the room of respondent No.2 and he made an attempt to violate her, upon which, respondent No.2 raised an alarm. However, petitioner No.1 gave a bite on her right hand. Thereafter, petitioner No.2, who is the mother-in-law of respondent No.2, also came there. Respondent No.2 was beaten up and she was also inflicted *daang* blows. Petitioner No.2 also gave kick blows in the abdomen of respondent No.2.

7.1 Upon hearing the said hue and cry, both the children woke up and thereafter, petitioner No.1 went downstairs and brought a rifle. The elder son of



ran away. Respondent No.2 was taken to Civil Hospital, Lohian and as per the medico-legal report, there were seven injuries found on the person of respondent No.2.

8. The petitioner No.1, who is the father-in-law of respondent No.2 had allegedly used a rifle to intimidate the respondent No.2, who is her daughter-in-law; living with her minor children as her husband is abroad; apart from the petitioner No.1, inflicting multiple injuries to her.

9. As per the status report, except the present one, petitioner No.1 is involved in two other cases, the details of which are as under:-

- “1. FIR No.68 dated 01.06.2021, under Sections 354-A, 323, 454, 380, 34 IPC, registered at Police Station Lohian.
- 2. FIR No.175 dated 01.09.1988, registered under Sections 324, 34 IPC.”

10. As per the status report, the petitioner is still undergoing trial in the aforesaid FIR No.175.

11. In view of the facts and circumstances of the case and the antecedents of petitioner No.1, I am of the considered opinion that it is not a fit case for invoking jurisdiction under Section 482 Cr.P.C. for quashing of the FIR on the basis of compromise.

12. Consequently, the present petition stands dismissed.

13. Pending miscellaneous applications, if any, shall stand disposed of.

(HARPREET KAUR JEEWAN)
JUDGE

23rd September 2024
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