

295

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-35638-2023(O&M)

Date of Decision: 29.04.2024

AVTAR SINGH

... PETITIONER

V/S

STATE OF PUNJAB AND ANOTHER

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Proxy counsel for
Mr. Sultan Singh Gill, Advocate for the petitioner.
Mr. Davinder Bir Singh, Sr. DAG, Punjab.
None 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 FIR No.0099 dated 19.06.2023, under Sections 354-A and 354-B IPC, registered at Police Station Majitha, District Amritsar Rural along with all the subsequent proceedings arising therefrom, on the basis of a compromise deed dated 08.07.2023 (Annexure P-2) executed between the parties.

[2] The FIR was got registered by respondent No.2 on the basis of allegations that petitioner had outraged her modesty. As per the compromise, now with the intervention of the respectables, the said dispute has been amicably settled between the parties. The petitioner and respondent No.2 are close relatives and respondent No.2 does not want to take any action in the said FIR.

[3] On 25.07.2023, learned counsel appearing on behalf of respondent No. 2 had confirmed the factum of compromise between the parties.

[4] On 25.07.2023, 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 11.09.2023, received from the learned Judicial Magistrate First Class, Amritsar, 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". No other case is pending against the petitioner.

[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 FIR No.0099 dated 19.06.2023, under Sections 354-A and 354-B IPC, registered at Police Station Majitha, District Amritsar Rural 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.

29.04.2024

Janki

(HARPREET KAUR JEEWAN)
JUDGE

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