

Sr. No.275

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-39631-2023  
Date of decision: 23<sup>rd</sup> April, 2024

HARBANS LAL KAKA .....Petitioner

versus

STATE OF PUNJAB AND ANOTHER .....Respondents

**CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN**

Present: Mr. Rishu Mahajan, 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 of the Code of Criminal Procedure, 1973 for quashing of FIR No.82 dated 20.07.2003, under Sections 354, 506, 34 IPC (Section 370 IPC added later on), registered at Police Station Bilga, District Jalandhar (Annexure P-1), on the basis of compromise deed dated 05.08.2023 (Annexure P-2) executed between the parties.

[2] Learned counsel for the petitioner contends that the FIR was registered at the instance of respondent No.2. The main allegations were against Shinder and other accused, who have already been acquitted of the charges. The petitioner has been granted anticipatory bail by this Court vide order dated 16.07.2020. With the intervention of the respectables of the family, the matter stands amicably settled and compromise deed dated 05.08.2023 (Annexure P-2) has been executed between the parties. Both the parties have decided to end all their disputes and give quietus to the matter. Respondent No.2-complainant does not want to pursue the FIR and

she has no objection if the FIR is quashed.

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

[4] On 11.08.2023, 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 02.09.2023, received from the Judicial Magistrate, Ist Class, Phillaur, through the District & Sessions Judge, Jalandhar, compromise effected between the parties is genuine, voluntary and without any coercion or undue influence. The petitioner has not been declared as “Proclaimed Offender” and he is not involved in any other criminal case.

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

[7] The dispute between the parties stands settled. Keeping in view 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, the present petition is allowed and FIR No.82 dated 20.07.2003, under Sections 354, 506, 34 IPC (Section 370 IPC added later on), registered at Police Station Bilga, District Jalandhar (Annexure P-1) and all the subsequent proceedings emanating therefrom are ordered to be quashed, qua the petitioner.

[9]           However, the respondent No.2 and the State shall be at liberty to seek cancellation of this order, in case the final terms and conditions of compromise deed dated 05.08.2023 (Annexure P-2) are violated.

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

(HARPREET KAUR JEEWAN)  
JUDGE

23<sup>rd</sup> April, 2024  
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|----------------------------------|---|---------------|
| <i>Whether speaking/reasoned</i> | : | <i>Yes/No</i> |
| <i>Whether reportable</i>        | : | <i>Yes/No</i> |