

CRM-M-57694-2023 (O&M) - 1 -

2024 : PHHC : 042170

244 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-57694-2023 (O&M)
Date of Decision: 22.03.2024

SANDEEP SINGH

... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

... RESPONDENTS

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Mr. Amit Arora, Advocate for the petitioner.

Mr. Ramandeep Singh, Sr. DA.G., Punjab.

Ms. Muskan, Advocate for respondent Nos. 2&3.

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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 FIR No. 168 dated 05.08.2021, registered at Police Station Goindwal Sahib, District Tarn Taran under Sections 363, 366-A and 120-B IPC on the basis of compromise dated 13.06.2023 (Annexure P-2) between the parties.

[2] Learned counsel for the petitioner contends that the respondent No.3-prosecutrix is major and happily married with the petitioner and even a male child was born out of the wedlock on 13.07.2022. The FIR was lodged at the instance of respondent No.2, who is the father of respondent No.3. In view of the compromise between the parties, respondent Nos. 2 and 3 do not want to take any action against the petitioner.

[3] Learned counsel appearing on behalf of respondent Nos. 2 and 3 has confirmed the factum of compromise between the parties.

[4] On 16.11.2023, 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 18.12.2023, received from the learned Judicial Magistrate First Class, Khadur Sahib, the statement of the petitioner and respondent Nos. 2 and 3 was recorded. The statement of ASI Sukhwant Singh was also recorded, who informed that the FIR was registered against Sandeep Singh-petitioner and Mangal Singh s/o Harbans Singh. However, Mangal Singh has died on 08.11.2022. 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" and no offence is added or deleted during the investigation in this 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 FIR No. 168 dated 05.08.2021, registered at Police Station Goindwal Sahib, District Tarn Taran under Sections 363, 366-A and 120-B 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.

22.03.2024
Janki

(HARPREET KAUR JEEWAN)
JUDGE

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