
(2021) 02 P&H CK 0207

In the Punjab And Haryana At Chandigarh

Case No : Criminal Miscellaneous Petition (M) No. 214 Of 2021

Mohsin Ali

APPELLANT

Vs

State Of Punjab And Another

RESPONDENT

Date of Decision : 18-02-2021

Acts Referred:

Indian Penal Code, 1860 — Section 323, 354, 506

Citation : (2021) 02 P&H CK 0207

Hon'ble Judges : Anupinder Singh Grewal, J

Bench : Single Bench

Advocate : Gazi Mohd. Umair, Dhruv Dayal, Yousaf

Final Decision : Allowed

Judgement

Anupinder Singh Grewal, J

Heard through video conferencing.

The petitioner is seeking quashing of FIR No. 123 dated 07.11.2020, under Sections 354, 323 and 506 of the Indian Penal Code, 1860, registered at

Police Station City-II Malerkotla, District Sangrur, on the basis of compromise arrived at between the parties.

Learned counsel for the petitioner contends that it is alleged in the FIR that the petitioner, on the refusal of the complainant to perform â??nikahâ??

with him, had dragged her and tried to make her sit on the motorcycle forcibly. Upon seeing her uncle, the petitioner had run away from the spot. He,

however, contends that the FIR is the outcome of misunderstanding between the parties which has now been resolved. He also contends that the

matter has now been compromised with the intervention of the respectables. He has referred to the copy of the compromise at Annexure P2.

Learned counsel for respondent No.2 states that the matter has indeed been compromised.

This Court vide order dated 06.01.2021 had directed the parties to appear before the Illaqa Magistrate/trial Court for recording their statements and

send a report as to whether the compromise has been arrived at without any coercion or undue influence. The report of the Judicial Magistrate Ist

Class, Malerkotla dated 27.01.2021 has been received, wherein it is stated that in pursuance to the order of this Court, the statements of the parties

were recorded which indicates that compromise which has been effected is genuine, voluntary and without undue influence.

The FIR is the outcome of a misunderstanding between the parties which has now been resolved and the matter has been compromised. In view of

the law laid down by the Supreme Court in the case of Narinder Singh vs. State of Punjab 2014 (6) SCC 466, no useful purpose will be served by

continuing the criminal proceedings. Therefore, the petition is allowed and FIR No. 123 dated 07.11.2020, under Sections 354, 323 and 506 of the

Indian Penal Code, 1860, registered at Police Station City-II Malerkotla, District Sangrur and all consequential proceedings are hereby quashed qua

the petitioner.