

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

CRL. MISC. No.M-10061 OF 2015 (O&M)
DATE OF DECISION : 13th OCTOBER, 2015

Mohd. Arshad @ Arshad Khan @ Assu & others

.... Petitioners

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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Present : Mr. D. S. Malwai, Advocate for the petitioners.

Mr. K. S. Aulakh, Assistant Advocate General, Punjab.

Mr. Narinder Singh, Advocate for respondent No.2.

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ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No.89 dated 06.05.2008 registered under Sections 406, 498-A and 506 IPC at Police Station Malerkotla, District Sangrur (Annexure P-1) and the consequent proceedings arising out of the same, on the basis of written compromise (Annexure P-2) arrived at between the parties.

Learned counsel for the petitioner submits that petitioner No.3 has since died and her name be deleted from the memo of parties.

Reader to make necessary correction in the memo of parties.

Report has been received from learned SDJM, Malerkotla after statements of the parties were recorded regarding the

compromise. Learned SDJM has reported that the compromise is voluntary and without any pressure or coercion. Learned SDJM has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioners No.1 and 2 are the only accused as petitioner No.3 was found innocent and had died and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

13th October, 2015
'raj'

(ANITA CHAUDHRY)
JUDGE