

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-11466 of 2015

Date of Decision: December 17, 2015

Gurpreet Singh

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr.A.K.Garg, Advocate
for the petitioner.

Ms.Rajni Gupta, Addl.A.G, Punjab

Mr.Sunny K.Singla, Advocate
for respondent No.2.

Rajan Gupta, J (Oral)

Petitioner has filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No. 138 dated 13.10.2013 registered under Sections 498-A/406 IPC at Police Station, Ahmedgarh, District, Sangrur and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit that during the pendency of this petition a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as **Kulwinder Singh and others Vs. State of Punjab, 2007 (3) RCR (CrI.) 1052**, learned counsel submit that in view of compromise, the impugned F.I.R deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in **Kulwinder Singh's** case supra and submit that in case a compromise is

arrived at between the parties the State shall not stand in the way of quashing of F.I.R.

Heard

It appears that on 29.9.2015, a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

“It is most respectfully submitted that in compliance with the orders dated 29.9.2015 of Hon'ble High Court, passed in the above mentioned Criminal Miscellaneous Petition, filed by the accused of this case, statements of both the parties i.e complainant Mandeep Kaur and accused Gurpreet Singh have been recorded to the effect that matter has been compromised between them out of their free will and without any pressure or coercion. Complainant as well as accused have been identified by their respective counsel. Only Gurpreet Singh accused has been arrayed as accused and no accused is proclaimed offender this case. Having considered the facts and circumstances of the case, I am of the view that the compromise is genuine and parties have entered into compromise voluntarily, without any pressure, coercion or influence. Report is accordingly submitted. The statements of parties are enclosed herewith as desired please.”

The compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of above, the present FIR and the consequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in

Kulwinder Singh's case supra.

Resultantly, the present petition is allowed. The F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

December 17, 2015
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