

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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CRM-M-11757-2015

Date of decision :15.09.2015

RATTAN CHAND

.....Petitioner

Versus

STATE OF PUNJAB & ORS

...Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajesh K. Dadwal, Advocate
for the petitioner.

Mr. K.S. Aulakh, AAG, Punjab.

Mr. Amit Mehta, Advocate
for respondents No.2 and 3.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.45 dated 02.09.2014 registered under Sections 304A, 279, 337, 338, 427 IPC, Police Station Hazipur, District Hoshiarpur on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise.

The trial Court has reported that the compromise is voluntary and without any pressure or coercion. The trial Court has also sent statements of parties recorded with respect to the compromise.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent No.3 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.

15.09.2015
SwarnjitS

(ANITA CHAUDHRY)
JUDGE