

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-1211-2015 (O & M)
Date of decision:06.10.2015

Manpreet Singh and ors.

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K. Arya, Advocate,
for the petitioner(s).

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

Mr. Sunil Agnihotri, Advocate,
for the complainant.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.3 dated 03.01.2011 registered under Sections 498-A, 406, 506, 342 and 34 IPC at Police Station City Gurdasput, District Gurdaspur.

Learned counsel for parties submit that 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 (Crl.) 1052***, learned counsel submit that in view of compromise, the impugned FIR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's case (supra)* and submits that in case a compromise is arrived at between the parties, the State would not stand in the way of quashing of FIR.

Heard.

It appears that while issuing notice of motion, 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:-

“In this regard, I have the honour to submit that statements of Amandeep Kaur wife of Manpreet singh, her father Malkiat singh and that of Manpreet Singh have been recorded. They have stated that their compromise was got effected in the Mediation Centre, Gurdaspur and they identified their signature on the same and have also admitted the genuineness and correctness of the compromise. Amandeep Kaur has also received ₹4,60,000/- from her husband Manpreet Singh in the Court at the time of making final statement in the divorce petition filed under Section 13-B of the Hindu Marriage Act. She has further stated that she has no objection if FIRs of all the criminal cases got registered by her are quashed. Parties have also stated that they have made the statements without any pressure or influence. They have also placed on record compromise effected between them at Mediation Centre, Gurdaspur. Both the parties have been identified by their respective counsels. Thus, from the statements of the parties and compromise, it appears that the matter has been settled between the parties and the compromise is genuine one and has been effected without any pressure or coercion. Original statements of the parties and the compromise are enclosed herewith.”

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 the above, the present FIR and the subsequent 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 FIR in question and the subsequent proceedings arising therefrom are quashed.

06.10.2015
sukhpreet

(RAJAN GUPTA)
JUDGE