

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-12936 of 2014
Date of decision: 23.4.2015

Amandeep Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Karan Chaudhary, Advocate for the petitioner.
Mr. Ankur Jain, AAG, Punjab.
Mr. S.S. Goraya, Advocate for respondent No.2-complainant.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.52 dated 04.04.2014, registered under sections 417, 493, 506, 509 IPC at Police Station Navi Baradari, Jalandhar, on the basis of compromise.

Learned counsel for the 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 on the last date of hearing i.e. on February 04,

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:-

“In reference to subject cited above, it is humbly submitted that the parties to the present litigation i.e. Neha Kumari and Amandeep Singh have appeared before the court of undersigned being duty magistrate and got their statements recorded. As per statement of Neha Kumari, she is living happily with her husband at her in-laws. Statement of Amandeep Singh was also recorded. As per statement of Amandeep Singh, they are residing at their house happily as husband and wife. Parties have also stated in their separate statements about the compromise having been effected of their own free will and without any threat, coercion or pressure. From the statement of the parties, recorded in the court and in my presence, the compromise between the parties is found to be genuine and valid. Report is accordingly submitted. Photo copy of the statement of the parties are enclosed herewith for your kind perusal.”

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.

23.4.2015
'Rajpal'

(RAJAN GUPTA)
JUDGE