

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

CRM-M-13063-2015

Date of decision: September 28, 2015

Suresh Chopra & another

...Petitioners

Versus

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Amit Rana, Advocate for the petitioners.

Dr. Sushil Gautam, DAG, Haryana.

Mr. S.K. Kaushik, Advocate for respondent No.2.

Rajan Gupta, J.(oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.12 dated 07.01.2015, registered under sections 420, 406 and 120-B IPC at Police Station Jagadhri City, District Yamuna Nagar, 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 vide order dated July 28, 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 compliance of order dt. 28.7.2015 passed by Hon'ble Punjab & Haryana High Court in CRM-M-13063-2015, I have honour to submit the report that complainant Antaryami Kohli son of Ram Chand Kohli as well as accused Suresh Chopra and Veena Chopra have separately recorded their voluntary statements before the court today which are Annexure A-1 and A-2 (annexed herewith in original). From their statements referred-to-above, it appears that both the parties to this case have recorded their voluntary statements without any pressure or coercion in any manner and the compromise arrived at between the parties is genuine, voluntary and without any coercion or undue influence (compromise Ex.CX is herewith attached in original).

The statement of Investigating Officer ASI Devinder Singh is also recorded to the effect that no other person is arraigned as accused in this FIR and no person is declared as Proclaimed Offender in this FIR. (The statement is annexure A-3 and attached herewith in original).”

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.

(RAJAN GUPTA)
JUDGE

September 28, 2015
'Rajpal'