

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-13079 of 2015

Date of Decision: August 13, 2015

Ran Singh and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Rajbir Singh, Advocate
for the petitioners.

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

Rajan Gupta, J (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No.38 dated 11.4.2015 registered under Sections 452, 354, 323, 506/34 IPC at Police Station, Bhawanigarh, 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 24.4.2015, 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:-

“Accused Ran Singh, Makhan Singh and Satinder Singh made their statements that matter has been compromised between the parties. Now no one has grudge against each other. They have also proved compromise Ex.P.1.

In the given circumstances, I am satisfied that the parties have been recorded their statements before the court voluntarily and without any pressure. The copies of the statements are attached herewith. It is further submitted that none of the accused is proclaimed offender and quashing is sought by all the accused.”

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

August 13, 2015
BB