

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-13250-2014 (O & M)
Date of decision:26.03.2015

Ram Singh and anr.

...Petitioners

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioners.

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

Ms. Harmeet Kaur Sidhu, Advocate,
for respondents No.3.

Rajan Gupta, J. (oral)

Petitioner has filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.134 dated 29.10.2013 registered under Sections 363/366/120-B IPC at Police Station Bilga, District Jalandhar City and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for respondent No.3 submits 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 (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 submit that in case a

compromise is arrived at between the parties the State shall not stand in the way of quashing of FIR.

Heard.

It appears that this court vide its order dated August 25, 2014, directed trial 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:-

“From the perusal of statements of complainant/respondent-Kashmir Singh, victim Rekha and petitioners/accused Ram Singh and Kuldeep Singh, it is clear that both the parties have voluntarily entered into a compromise to end their dispute. This court is of the considered opinion that compromise is free from any pressure or coercion and has been effected between the parties out of their free will.”

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

(RAJAN GUPTA)
JUDGE

26.03.2015
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