

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-15276 of 2015

Date of Decision: December 07, 2015

Harbans Singh

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Ms.Rupinder Kaur, Advocate
for the petitioner.

Mr.Ankur Jain, AAG, Punjab

Mr.Gagandeep Singh, Advocate
for respondent No.2.

Rajan Gupta, J (Oral)

Petitioner has filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No.49 dated 12.10.2011 registered under Sections 323, 324, IPC at Police Station, Bhaini Mian Khan, District Gurdaspur 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 (Crl.) 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 11.5.2015, 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:-

“From the statements of the parties, it appears to the court that the parties have entered into said compromise without any pressure, coercion and undue influence and same has been done with the sweet will of the parties. Further accused is not a proclaimed offender in the present case.

The copies of the statements of the persons named above (parties) are enclosed herewith for kind perusal of the Hon'ble Punjab and Haryana High Court.”

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

December 07, 2015
BB