

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-15854 of 2015

Date of decision : 19.11.2015

Jaswinder Kaur & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Yashpal Sharma, Advocate for the petitioners.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

Mr. Om Parkash Kashyap, Advocate
for respondents no. 2 to 6.

RAJAN GUPTA J.

Petitioners has filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 59 dated 05.03.2011 registered under sections 380/420/467/468/471/120-B IPC at police station Patran, District Patiala 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 FIR deserves to be quashed.

Learned State counsel has placed on record reply by way of affidavit of Swarnjit Singh, Deputy Superintendent of police,

Patran. Same is taken on record. He, however, 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 August 03, 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:-

"Respectfully submitted that the case titled as "State Vs. Gurmeet Singh and others" arising out of FIR No. 59 dated 05.03.2011 U/s 380, 420, 467, 468, 120-B IPC, is pending in this court for prosecution evidence.

It is further reported that on 13.08.2015 in compliance of order dated 03.08.2015 passed by the court of Hon'ble High Court, the undersigned recorded statements of the parties i.e. Sahib Singh, complainant of this case, and Gurmeet Singh, Harjit Singh, Jaswinder Kaur, Satnam Singh and Sukhwinder Singh, accused of this case, with regard to the compromise for the matter in dispute between them. All of them stated that they have compromised the matter with their free will and without any pressure or threat. They also stated that they have given statements in the court also with their free will. Statements of aforesaid persons perused and their compromise seems to be valid and genuine being effected between them with their free will and without any threat or coercion or threat.

It is further reported that no accused has been declared proclaimed offender in this case."

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

November 19, 2015

Ajay

(RAJAN GUPTA)
JUDGE