

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

CRM-M 1794 of 2015

Date of decision : 27.04.2015

Darshan Singh & anr.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

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

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

Mr. Sukhmeet Singh, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 227 dated 23.12.2014 registered under sections 452/323/506/34 IPC at police station City Sunam, District Sangrur (Annexure P1) and all the subsequent proceedings arising therefrom on the basis of compromise dated 09.01.2015 (Annexure P2).

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 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 while issuing notice of motion 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:-

5. *Thereby, from the statement of complainant Pardeep Singh, as recorded in the Court on 21.02.2015, it appears that he has compromised the matter with accused Darshan Singh and Piara Singh without any pressure or coercion.*
6. *Then, from the statement of IO ASI Kuldeep Singh as recorded on 21.02.2015, it also comes out that there are only two accused, involved in the matter, namely Darshan Singh and Piara Singh and the petition for quashing of the FIR has been filed by both the said accused persons.*
7. *Then, IO ASI Kuldeep Singh has clarified in his statement that no one is proclaimed offender in the 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.

April 27, 2015

Ajay

(RAJAN GUPTA)
JUDGE