

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-1936-2015 (O & M)
Date of decision:21.04.2015

Harpreet Singh @ Happy and anr.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Maninder Singh, Advocate, for the petitioner.

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.87 dated 30.09.2013 registered under Sections 452/354/323/34 IPC (Annexure P-1) at Police Station Khilchain District Amritsar on the basis of compromise.

Learned counsel for petitioners submits that 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 submits 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:-

“After considering their statements, the undersigned is of the opinion that said compromise has been entered into in between the petitioners/accused and complainant/respondent no.2 Sharanjeet Kaur voluntarily, out of free will and without any pressure or coercion and the same appears to be genuine one. The copies of statements of the parties and documents are being sent herewith, for kind perusal of the Hon'ble High Court, as desired. Hence, this report as per the directions of the Hon'ble High Court.”

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 subsequent 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.

21.04.2015
sukhpreet

(RAJAN GUPTA)
JUDGE