

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

**CRL. MISC. No.M-22198 OF 2015 (O&M)
DATE OF DECISION : 16th OCTOBER, 2015**

Kulwant Singh Johal

.... Petitioner

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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Present : Mr. Dhirender Chopra, Advocate for the petitioner.

Mr. Deep Singh, Assistant Advocate General, Punjab.

Mr. Balbir Singh Saini, Advocate for respondent No.2.

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ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No.236 dated 27.12.2013 registered under Sections 420 and 406 IPC at Police Station City Moga, District Moga and the consequent proceedings arising out of the same, on the basis of written compromise dated 15.06.2015 (Annexure P-14) arrived at between the parties.

Report has been received from learned CJM, Moga after statements of the parties were recorded regarding the compromise. Learned CJM has reported that the compromise is voluntary and without any pressure or coercion. Learned CJM has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others Vs. State of Punjab and another, 2007(3) RCR (Criminal) 1052**, approved by Hon'ble Apex Court in **Gian Singh Vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioner.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

16th October, 2015
'raj'

(ANITA CHAUDHRY)
JUDGE