

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M- 22747 of 2015

Date of Decision: October 08, 2015

Mitesh Taneja and others

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Gaurav Sethi, Advocate
for the petitioners.

Mr.Vishal Kashyap, AAG, Haryana.

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

Rajan Gupta, J (Oral)

Reply on behalf of respondent No.1 has been filed in court.

Same is taken on record.

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No. 326 dated 7.9..2013 registered under Sections 406, 498-A, 323, 506, 34, 120-B IPC at Police Station, Mahesh Nagar,Ambala 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 16.7.2015, 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:-

“I have the honour to submit that in the present case statements of complainant as well as accused persons are recorded today i.e 14.8.2015. Complainant namely Sonia Taneja made a statement that a compromise was effected between them. Hence, she has no objection, if the criminal proceedings against the accused person is quashed. Similarly, accused namely Mitesh Tajeja, Satpal Taneja and Phool Taneja also made a joint statement that a compromise has been effected between them. From the statements of complainant and accused persons, I am of the firm view that the statements of the parties have been recorded by their free will without any pressure or any undue influence from any corner. It is further submitted that the statements have been recorded under the supervision of undersigned in open court. It is further mentioned that no accused is proclaimed offender in this case and quashing is sought by all the accused persons.”

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

October 08, 2015
BB