

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-23716-2014 (O & M)
Date of decision:19.05.2015

Sunil Kumar and others ...Petitioner(s)

Versus

State of Haryana and anr. ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. D.S. Adlakha, Advocate,
for the petitioners.

Mr. Vikas Malik, DAG, Haryana.

Mr. Karan Singh, Advocate,
for Mr. Harinder Singh, Advocate,
for respondent No.2.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.20 dated 04.03.2011 registered under Sections 406/498-A and 506 IPC at Police Station Sector 14, Panchkula, on the basis of compromise.

Learned counsel for parties submit 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 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 on September 11, 2014, 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:-

“The complainant Pooja as well as accused namely Sunil Kumar, Balbir Singh and Kailasho Devi have appeared before the court on 01.10.2014 and made separate statements before the undersigned that a compromise has been effected between them and the misunderstanding between them have been settled down as per compromise deed Mark-A. The separate statements of both the parties was duly recorded (copies enclosed). The parties have assured the undersigned that they were satisfied with the compromise. The complainant as well as accused persons have been duly identified by their respective counsels. The compromise deed Mark-A is genuine and authentic in my opinion. It is also volunteer compromise. As per the statement dated 10.10.2014 made by the Investigating Officer, no proceeding regarding proclaimed offender is pending against any of the parties.”

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.

19.05.2015
sukhpreet

(RAJAN GUPTA)
JUDGE