

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-25976-2015 (O & M)
Date of decision:12.10.2015

Ajay Kumar @ Bobby

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Surinder Sharma, Advocate,
for the petitioner(s).

Ms. Rajni Gupta, Addl.A.G., Punjab.

Rajan Gupta, J. (oral)

Petitioner has filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.62 dated 13.07.2013 registered under Sections 406 and 498-A IPC at Police Station Women Cell, Jalandhar City, on the basis of compromise.

Learned counsel for petitioner 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:-

“Consequently, the statements of parties were recorded, whereby they have deposed that they have compromised the matter. Complainant has stated that she has no objection if the FIR in the present case along with its subsequent proceedings are quashed. Complainant has also placed on record copy of compromise as Ex.CA. Parties have been identified by their respective counsel. So, in view of Ex.CA and statement suffered by the parties, the compromise effected between the parties appears to be genuine one and without any force and pressure.”

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.

12.10.2015
sukhpreet

(RAJAN GUPTA)
JUDGE