

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-26172-2014 (O & M)
Date of decision: 05.05.2015

Mukhtiar Singh @ Mukha and ors.

...Petitioner(s)

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vikasdeep Singh, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of DDR No.27 dated 26.04.2014 registered under Sections 323/324/326/341 and 506 IPC at Police Station Talwandi Chaudhrian, District Kapurthala arising out of FIR No.31 dated 26.04.2014 (Annexure P-1) 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 (CrI.) 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:-

“From the above statements of both the parties, it is clear that matter has been voluntarily compromised with the parties without any pressure, undue influence or duress. Please find enclosed herewith copies of the statements of all the concerned parties recorded in CRM No.M-26172 of 2014 in case FIR No. 31 of 26.04.2014, under Sections 323/324/148/149 IPC and DDR No.27/26.04.2014, U/s 323/324/326/341 and 506 IPC, PS Talwandi Chaudhrian, District Kapurthala, for your kind perusal and for its onward transmission to 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 DDR in FIR No.31 dated 26.04.2014 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 DDR in question and the subsequent proceedings arising therefrom are quashed.

(RAJAN GUPTA)
JUDGE

05.05.2015

sukhpreet