

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-2618-2015

Date of decision: 25.8.2015

Sukhjit Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gagandeep Singh Simble, Advocate for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

Mr. Rahul Sharma, 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.79 dated 22.06.2014, registered under sections 452, 324, 323 read with Section 34 IPC at Police Station Sadar Gurdaspur, District Gurdaspur, on the basis of compromise.

Learned counsel for the 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 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:-

“Thereafter, separate statement of accused namely Sukhjit Singh, Mandip Singh and Joginder Singh, all residents of village Parowal, Rajputan, P.S. Sadar, District Gurdaspur, have been recorded, wherein they have stated that the present FIR 79 dated 22.6.2014 under Sections 326, 452, 324, 323, 34 IPC was registered in Police Station Gurdaspur against them on the statement of Satnam Singh s/o Sukhwinder Singh, r/o Village Parowal Rajputa. Now with the intervention of the respectable of the village the matter stands compromised between them.

From the above referred statements, it appears that in the above case, FIR No.79 dated 22.6.2014 under Sections 326, 452, 324, 323, 34 of IPC, a compromise has been effected between the complainant and accused persons, which is genuine and outcome of the free consent of the parties and is without coercion, threat or undue influence.”

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.

(RAJAN GUPTA)
JUDGE

25.8.2015
'Rajpal'