

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-27435-2015 (O & M)
Date of decision:02.12.2015

Avtar Singh and ors. ...Petitioner(s)

Versus

State of Punjab and ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Bikramjit Aroua, Advocate, for the petitioner(s).

Mr. Shilesh Gupta, Addl.A.G., Punjab.

Mr. N.S. Dadwal, Advocate, for respondents No.2 and 3.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of complaint dated 19.10.2010 bearing No.SC/0000226/2013 registered under Sections 3(i)(x) Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, 506 IPC at Police Station Sadar, Tarn Taran.

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 complaint 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 complaint.

Heard.

It appears that on September 14, 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:-

“In reference to CRM-M-27435/2015 now fixed for 05.11.2015 before Hon'ble High Court, I have the honour to submit that as per directions of Hon'ble High Court, I satisfied myself that the compromise effected between the parties is genuine one. Thereafter, I recorded the statements of Sarabjit Kaur wife of the complainant Baldev Singh (since deceased) and accused. The photo copies of the statements are sent herewith, as desired. It is further submitted that there are three accused in the present complaint case and all are on bail. Not any accused has been declared proclaimed offender in this complaint case.”

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 complaint 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

02.12.2015
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