

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-29373-of 2014 (O & M)
Date of decision:18.03.2015

Mayank Goyal

...Petitioner

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vishal Deep Goyal, Advocate,
for the petitioner.

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

Mr. Shiv Kumar Sharma, Advocate,
for respondents No.2.

Rajan Gupta, J. (oral)

Petitioner has filed this petition under Section 482 Cr.P.C. for quashing of FIR No.53 dated 13.02.2010 (Annexure P-2) under Sections 420 IPC registered at Police Station Mohali, District SAS Nagar and the subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-3) arrived at between the parties.

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 submit 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 vide order dated 09.10.2014 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 statements of Jaideep Aggarwal and Mayank Goyal have been recorded in the court today. The complainant Jaideep Aggarwal suffered statement that in FIR No.53 of 13.02.2012 under sections 420, 406 of IPC, P.S. Phase-I, District SAS Nagar, registered against Mayank Goyal, he removed his grievances with the accused and has arisen on a compromise with him with his own sweet Will and without any pressure or coercion and is voluntary. Now, he does not want to pursue the above said case against the accused and he has no objection, if the case FIR is quashed by the Hon'ble Competent Court. Thereafter, Mayank Goyal has suffered statement that he has gone through the statement of complainant Jaideep Aggarwal and same is admitted to be correct.”

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 consequent 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.

18.03.2015
sukhpreet

(RAJAN GUPTA)
JUDGE