

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

CRM-M-30806-2015 (O&M)

Date of decision:18.12.2015

Ravinder Singh @ Mollu & another

...Petitioners

Versus

State of Punjab & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sukhjit Singh, Advocate for the petitioners.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J.(oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.77 dated 18.9.2013, registered under sections 452, 324/34 IPC at Police Station Mukandpur, District SBS Nagar, on the basis of compromise.

Learned counsel for the petitioners 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 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:-

“Statement of Devraj was recorded on the same day. He stated that the matter between him and both the accused as aforementioned have been compromised. He further admitted the compromise dated 30.09.2015. He further stated that the said compromise has been arrived at between him and the accused voluntarily and without any coercion or undue influence. Before recording his statements, he was orally informed that if there is any type of coercion or undue influence on him, he can refuse to make the statement to which he replied in the negative.

Considering these circumstances, it is submitted that the compromise between the parties have been effected without any coercion or undue influence, and the parties have entered into compromise voluntarily.”

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

18.12.2015
'Rajpal'