

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-32820-2015 (O & M)
Date of decision:20.11.2015

Mangat Ram @ Manga and ors.

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. I.S. Mann, Advocate,
for the petitioner(s).

Ms. Rajni Gupta, Addl.A.G., Punjab.

Mr. I.S. Brar, 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.177 dated 28.08.2012 registered under Sections 452/324/323/506/148/149 and 427 IPC at Police Station City Muktsar, District Sri Muktsar Sahib, on the basis of compromise.

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 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:-

“In compliance with the aforesaid order, parties appeared before me and respondent/complainant Krishna Devi alias Bhiri widow of Wakil Chand appeared and got recorded her statement qua compromise and she is duly identified by Sh. Pritpal S. Sharma, Advocate. Similarly petitioners/accused Mangat Ram alias Manga, Surinder Singh alias sonu Vicky son of Pawan Kumar, Amandeep Singh alias Alu and Kaka Singh son of Chiranji Lal also appeared and got recorded their statement separately qua compromise who are duly identified by Sh. Pawan Sharma, Advocate.

In view of the above said statement of parties, it is duly proved that both the parties have effected compromise with their free will and without any pressure 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.

20.11.2015
sukhpreet

(RAJAN GUPTA)
JUDGE