

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-34942-2014 (O & M)
Date of decision:06.04.2015

Jagsir Singh and ors.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: None for the petitioners.

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

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.44 dated 12.12.2012, registered under Sections 498/406/420/494/120-B IPC at Police Station Women Cell, District Bathinda, Punjab, on the basis of compromise dated 15.04.2014, Annexure P-2.

It has been averred in the petition that a compromise has been arrived at between the parties and dispute has been amicably settled. In view of the judgment reported as ***Kulwinder Singh and others vs. State of Punjab, 2007(3) RCR (Crl.) 1052***, it has been averred 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 shall 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:-

“Upon directions of the Hon'ble High Court in CRM-M-34942 of 2014, complainant Mandeep Kaur and accused Jagsir Singh, Mohinder Kaur, Mithu Singh and Sita Devi appeared in the Court for recording their statements as to the compromise effected between the parties. Complainant suffered statement that compromise has been effected and marriage has been dissolved u/s 13-B of H.M. Act. She has no objection in case FIR is quashed. Accused also suffered similar statements. The compromise appears to have been entered into voluntarily, without any coercion and 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 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.

(RAJAN GUPTA)
JUDGE

April 06, 2015
sukhpreet