

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-35812-2014 (O & M)
Date of decision: 05.05.2015

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

Versus

State of Punjab and anr. ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vivek Salathia, Advocate,
for Mr. S.S. Godara, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.31 dated 26.04.2014 registered under Sections 323/324/148 and 149 IPC at Police Station Talwandi Chaudhrian, District Kapurthala on the basis of compromise.

Learned counsel for petitioners submits 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:-

“Both the parties have effected compromise which is genuine, voluntary, without any threat, pressure, coercion or undue influence. Thereafter parties have also signed on their respective statements. Gist of the statements is that deponents have no grudge or revenge with the each other and they want to live peacefully to avoid untoward incident in the future. The certified copies of the statements of both the parties, recorded in this court, are being sent herewith. The report is accordingly submitted before the Hon'ble High Court for kind perusal.”

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.

05.05.2015
sukhpreet

(RAJAN GUPTA)
JUDGE