

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-3584-2015 (O & M)
Date of decision:06.04.2015

Gurmit Singh @ Geeta @ Malkeet Singh and ors.

...Petitioners

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.S. Nahel, Advocate, 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.9 dated 15.01.2011, registered under Sections 324/341/323 and 34 IPC at Police Station Sadar Dhuri, District Sangrur, on the basis of compromise, Annexure P-2.

Learned counsel for the petitioners submits that during the pendency of this petition 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 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:-

“Today complainant and accused persons along with their respective counsel appeared in the court and stated that they had compromised the matter and further prayed for recording their statements and for quashing the FIR in view of the compromise between the parties. Statements have been recorded in the above noted case bearing FIR No.09 dated 15.01.2011 under Sections 324/341/323 and 34 IPC at Police Station Sadar Dhuri, the statements of complainant Parmvir Singh and accused Gurmit Singh s/o Dalbara Singh, Gagandeep Singh @ Gagi s/o Bahadur Singh and Gurmit Singh @ Geeta @ Malkit Singh s/o Jagar Singh recorded. The copy of compromise arrived between the parties is placed on record as Ex.PX.

After going through the statements of the parties and on asking the parties, it is crystallized that the compromise has been arrived at genuinely, without pressure or coercion and is made 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 consequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's* case

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