

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-38508-2014 (O & M)
Date of decision:09.12.2015

Amritpal @ Amritpal Singh

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Arun Abrol, Advocate,
for the petitioner(s).

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

Mr. Parminder Singh (I), 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.166 dated 18.09.2014 registered under Sections 354/354-A/506 and 341 IPC at Police Station Civil Lines, Batala, 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 on February 04, 2015, 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 stated that they have compromised the matter with the intervention of the respectable persons of the society at their own free will and consent, voluntarily without any pressure and now they have no grudge against each other. The petitioner has been identified by his counsel Mr.Rajesh Kumar Sarangal, Advocate, while respondent has been duly identified by Mr. Amandeep Singh Adv. and statement of identifier Balwinder singh Lambardar also recorded in this regard. It was assured before hand that the parties are giving their statements voluntarily without any pressure. Both the parties placed on record their identity proofs i.e., voter cards issued by Election Commission of India. **(photo copies of the statements and identity proofs of parties are attached herewith).**”*

I am satisfied that, the compromise is genuine and voluntary and it was assured before hand that the parties are giving their statements without undue influence, coercion or threat.”

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.

09.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE