

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-39261 of 2014

Date of Decision: May 07, 2015

Manjit Singh and others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr.Sandeep Jasuja, Advocate
for the petitioners.

Mr.Ankur Jain, AAG, Punjab.

Rajan Gupta, J (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No. 50 dated 2.6.2012 registered under Sections 406, 498-A IPC at Police Station, Sadar Abhohar, District, Fazilka and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit 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 submit that in view of compromise, the impugned F.I.R 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 F.I.R.

Heard

It appears that on 4.3.2015, 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:-

“From the statements of complainant Sukhdevi affected party and Manjit Singh, Jarnail Singh, Malkiat Kaur, Nirmal Kaur and Pinki @ Jasveer Kaur accused, it makes out that the parties of the present case have compromised the matter with their free will and full senses, so that they may live in peace and harmony and to avoid any future conflict/enmity between the parties. So this compromise between the parties appears to be genuine & valid and outcome of free consent of the parties and is without coercion from any quarter.”

The 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 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 F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

May 07, 2015
BB