

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-40209 of 2014
Date of decision: 28.4.2015

Maneesh Lakha and others

...Petitioners

Versus

State of Punjab & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.P.S. Sidhu, Advocate for the petitioners.
Mr. Shilesh Gupta, Addl. Advocate General, Punjab.
Mr. Atul Goyal, Advocate for
Mr. Sahil Khunger, 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.11 dated 14.01.2014, registered under sections 498-A and 406 of the IPC at Police Station Women Cell, Ludhiana, District Ludhiana, on the basis of compromise.

Learned counsel for the 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 vide order dated 21.01.2015, 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:-

“I have the honour to submit that statement of complainant Konika Lakha, accused Maneesh Lakha and Dharam Chand Lakha appeared before this court on 2.3.2015 got recorded their statements. The statements of parties have been duly countersigned by their counsel. The affirmations as coming in the statements of parties show voluntary nature of their statements suffered. I have also inquired from the parties they say that the compromise has been effected voluntarily without any pressure and coercion. Copies of statements are sent herewith 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.

(RAJAN GUPTA)
JUDGE

28.4.2015
'Rajpal'