

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-42383 of 2014

Date of decision : 14.10.2015

Chander Kanta & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. A.A. Pathnak, Advocate for the petitioners.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 22 dated 01.02.2010 registered under section 420 IPC at police station Jandiala, District Amritsar 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 FIR deserves to be quashed.

Learned State counsel has filed reply by way of affidavit of Bhagwant Singh, Deputy Superintendent of Police, Sub Division, Jandiala, district Amritsar. Referring to same, he submits that a cancellation report was initiated in the year 2010 in view of compromise arrived at between the parties. He further submits

that in view of order dated September 29, 2015 passed by this court, it has been verified that complainant Tejpal Singh himself appeared before the court and made a statement in support of the compromise.

Heard.

It appears that on 04.05.2015 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:-

"Pursuant to the order dated 04.05.2015 passed by the Hon'ble High Court in CRM M-42383 of 2014 (O&M), report is hereby submitted to the effect that the statements of complainant Tejpal Singh son of Bhupinder Singh son of Wazir Singh, resident of village Fatahpur, P.O. Jawala Floor Mill, Tehsil & Distt. Amritsar and accused Chander Kanta wife of Kanwar Ajay Verma, Himanshu Verma son of Kanwar Ajay Verma and Sanjay Kanwar son of Kanwar Daljit Singh, all residents of H.No. 1016, Street No. 10, Gurbaksh Colony, Patiala, in case bearing FIR No. 22 of 01.02.2010, u/s 420 of IPC, Police Station Jandiala, Amritsar, have been recorded on 10.09.2015. This Court is satisfied that complainant Tejpal Singh has amicably settled the matter with accused Chander Kanta, Himanshu Verma and Sanjay Kanwar and the parties have got recorded their statement in the Court without any fear or pressure. The compromise arrived at between complainant and accused seems to be volunteer and genuine."

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 FIR in question and the subsequent proceedings arising therefrom are quashed.

October 14, 2015

Ajay

(RAJAN GUPTA)
JUDGE