

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-42623-2014 (O & M)
Date of decision:08.10.2015

Neena Sharma @ Anjali Sharma

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gurmeet Singh, Advocate,
for the petitioner(s).

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

Mr. Satish Singla, 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.144 dated 19.11.2011 registered under Sections 406 and 420 IPC (Section 120-B IPC added later on) and Section 24 of Immigration Act at Police Station Matour, District S.A.S. Nagar (Mohali), 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 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:-

“From the statements of the complainant and the accused, I am satisfied that the compromise between the parties is genuine and valid, and without any coercion or undue influence from any corner. It is further submitted that original complaint was moved before the police by Hardeep Singh son of Gurdial Singh who is respondent no.2 before the Hon'ble High Court. However, apart from the said complainant, there is no other effected person/victim in the present FIR. On the basis of this complaint, the present FIR was registered against accused Neena Sharma only, and there is no other co-accused in the present FIR, and no accused has been declared as proclaimed offender.”

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.

08.10.2015
sukhpreet

(RAJAN GUPTA)
JUDGE