

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

CRM-M-43830-2014 (O&M)
Date of decision: 17.3.2015

Sukhdev Singh and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. B.S. Baath, Advocate for the petitioners.
Mr. Ankur Jain, AAG, Punjab.
Mr. S.S. Gill, 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.25 dated 28.3.2013, registered under sections 323, 452, 506, 148, 149 IPC and offence under section 324 IPC added later on at police station Sadar Batala, Police District Batala, 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 while issuing notice of motion 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 parties recorded, it appears to the Court that the parties have entered into compromise without any pressure, coercion and same has done with the free consent of the parties.

The copies of the statement of the persons named above (parties) are enclosed herewith for kind perusal of the Hon'ble Punjab & Haryana High Court.”

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

17.3.2015
'Rajpal'