

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-4411-2015 (O & M)
Date of decision:10.04.2015

Neelu and ors.

...Petitioners

Versus

State of Haryana and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Parminder Singh, Advocate,
for the petitioners.

Mr. P.K. Jangra, Addl.A.G., Haryana.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.283 dated 03.08.2012 registered under Sections 148/149/427/452/506 IPC at Police Station Gharaunda District Karnal on the basis of compromise.

Learned counsel for the petitioners submits 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 submits 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 shall 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:-

“The parties have assured the undersigned that they are satisfied with the compromise. Both the parties have been duly identified by their respective counsel. In my opinion, the compromise is genuine one, because both the parties have assembled in the court and have made statements voluntarily. The copies of statements of both the parties are hereby enclosed.

The undersigned was also directed to submit a report regarding the fact as to whether any of the accused has been declared a proclaimed offender in the present case. A perusal of the records of the case reveal that no accused has been declared proclaimed offender in the present case.”

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 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.

10.04.2015
sukhpreet

(RAJAN GUPTA)
JUDGE