

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

**CRM-9522 of 2015 in/and
CRM-M- 5122 of 2015 (O&M)**
Date of Decision: March 27, 2015

Rajinder Kumar Bajaj and another

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. R.K.Bajaj, Advocate
for the petitioners.

Mr.Ankur Jain, AAG, Pb.

Rajan Gupta, J (Oral)

CRM-9522 of 2015

This is an application for addition of offence under Section 34 IPC in the headnote and prayer clause in the main petition. Application is allowed as prayed for. Necessary correction be made in the main petition.

CRM-M- 5122 of 2015

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No. 86 dated 19.5.2013 registered under Sections 498-A, 34 IPC at Police Station, Division No.4, Jalandhar and all the subsequent proceedings arising therefrom 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 F.I.R deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in **Kulwinder Singh's** case supra and submit that in case a compromise is arrived at between the parties the State shall not stand in the way of quashing of F.I.R.

Heard

It appears that on 18.2.2015, 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:-

“Complainant Krishma alias Kimmi appeared and made statement that due to intervention of the respectables of the area, she has arrived at compromise with the accused Rajinder Kumar Bajaj and Vishal Bajaj voluntarily and without any pressure from any side. She has placed on record copy of written compromise as Mark-A and pleaded no objection if present FIR is quashed. Similar statements were made by accused Rajinder Kumar Bajaj and Vishal Bajaj.

Keeping in view all aspects and statements of the complainant and accused, I am of the considered view that complainant has arrived at a compromise with accused voluntary and without any pressure from any side and it is not a result of any pressure or coercion. This compromise is genuine and valid.”

Resultantly, the present petition is allowed. The F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

March 27, 2015
BB