

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-5187-2015 (O & M)

Date of decision:14.12.2015

Meshi and ors.

...Petitioner(s)

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. A.S. Khinda, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Mr. K.S. Dhillon, Advocate,
for respondents No.2 to 4.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.93 dated 26.12.2014 registered under Sections 323, 324, 148 and 149 IPC, at Police Station Begowal, District Kapurthala, 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 October 06, 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:-

"It is humbly submitted that after perusal of the case file, the report qua the above said questions is as follows:-

A1) Seven persons were arrayed as accused in FIR.

A2) None of the accused is declared as proclaimed offender.

A3) Complainant Nirmal Singh along with eye-witnesses Balwinder Singh & Palwinder Kaur and accused Meshi, Bhindi @ Dhaminder Kumar, Baldev Singh, Sunny @ Gurpreet Singh, Krishna, Sunita & Kindi are present. Their statements under the identification of their counsels were recorded. As per their statement the compromise has been reached in between the parties voluntarily without any pressure or coercion through the respectables of the locality. "

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.

14.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE