

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

CRM-M-5188 of 2015
Date of decision: 17.3.2015

Smt. Parkasho & another ...Petitioners

Versus

State of Punjab & another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Gaurav Tangri, Advocate for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.128 dated 18.6.2013, registered under sections 498-A, 506 read with Section 34 IPC at Police Station Division No.3, Jalandhar, on the basis of compromise.

Learned counsel for the petitioner 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:-

“After going through the statements given by respondent/complainant Rekha Rani, witness Baksho and that of accused/petitioners, this court is of the view that a genuine compromise has been effected between the parties and there was no undue influence or coercion from any side.

It is further reported that only two accused namely Deepak Kumar and Parkash Kaur are facing trial before this court and the case is fixed at the stage of prosecution evidence.”

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'