

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

CRM M-5247 of 2015

Date of decision : 27.07.2015

Padam Kant & ors.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Pankaj Bali, Advocate for the petitioners.

Ms. Rajni Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 138 dated 02.08.2014 registered under sections 406, 498-A IPC at police station Sadar Khanna and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the petitioners 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 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:-

"In this regard, I have the honour to submit that on 23.3.2015, parties appeared before this Court. Statement of complainant Karamjit Kaur and accused Padam Kant Verma, Seeba Verma, Bhim Sain Verma, Nirmala Devi were recorded. Complainant and accused stated thaty they have compromised with each other vide compromise Ex.C1. They stated that they singed Ex C1 without any pressure and with their free will and consent and they have no objection if FIR no. 138 dated 2.8.2014 under sections 406, 498A IPC, P.S. Sadar Khanna, be quashed along with consequential proceedings.

From the statements of the parties, it appears that compromise has been entered into voluntarily and without any pressure or coercion upon the parties."

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 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, present petition is allowed. FIR in question and subsequent proceedings arising therefrom are quashed.

July 27, 2015

Ajay

(RAJAN GUPTA)
JUDGE