

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

CRM-M 6649 of 2015

Date of decision : 25.05.2015

Gurbaaz Singh

....Petitioner

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajat Mor, Advocate for
Mr. Kushagra Mahajan, Advocate for the petitioner.

Mr. Ankur Jain, AAG Punjab.

RAJAN GUPTA J.

Petitioner has filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 12 dated 04.11.2014 registered under sections 498-A IPC at police station Women, District Amritsar City 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 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:-

"From the statements of the parties it transpires that parties have willfully settled their differences and reached at bonafide compromise without any pressure and the same seems to be genuine. It is further respectfully submitted that as per the statement of ASI Manjit Singh No. 3280, posted at Police Station-Woman, Amritsar City, there is only accused namely Gurbaaz Singh in the captioned FIR & has never been declared Proclaimed Offender by any of the court till date, as per record. Therefore, on the basis of statement suffered by ASI Manjit Singh, it transpires that the petition has been filed by the accused namely Gurbaaz Singh (Supra). Hence the requisite report."

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

May 25, 2015

Ajay

(RAJAN GUPTA)
JUDGE