

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6729-2015 (O & M)
Date of decision:09.12.2015

Baldev Singh and anr.

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Suveer Sheokan, Advocate,
for the petitioner(s).

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

Mr. Yogesh Saini, Advocate,
for respondent No.2.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.11 dated 25.02.2012 registered under Section 420 IPC (Section 120-B IPC added later on) at Police Station Meharban, District Ludhiana, 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 May 05, 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 pertinent to mention that as per record, the present FIR No.11 dated 25.02.2012 under Sections 420, 120-B IPC, PS Meharban, Ludhiana was filed against the accused Baldev Singh and Daljit Kaur @ Veero and both of them have filed the petition before the Hon'ble High Court for quashing of FIR and none of them has been declared as proclaimed offender.

I have gone through the statement given by the parties and posed various questions to know whether any compromise has been effected between the parties. I am satisfied that compromise has been effected between the parties and without any pressure or coercion of anyone. The sole purpose of the parties for effecting compromise between them is their desire to live in peace and harmony."

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.

09.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE