

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-7296-2015 (O & M)
Date of decision:11.12.2015

Harish Singla and ors.

...Petitioner(s)

Versus

State of Punjab and ors.

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. G.N. Malik, Advocate,
for the petitioner(s).

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

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of DDR No.16 registered as a cross case in FIR No.94 dated 28.06.2013 under Sections 341, 382, 323, 148, 149 IPC at Police Station City-I, Malerkotla, District Sangrur, on the basis of compromise.

Learned counsel for the petitioners submits 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 submits 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 DDR.

Heard.

It appears that on September 22, 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:-

“With reference to the subject cited above, I have the honour to submit that in compliance of order dated 22.09.2015 passed by Hon'ble High Court, the parties have come present for recording their statements with regard to the compromise effected between them. Statements of complainant Raju Garg, injured persons namely Subash Kumar Garg, Deepak Garg, Kunwar Singla, Rakesh Kumar and accused persons namely Harish Singla, Mohd. Anis, Arif Halim and Ajay Sharma have been recorded, in which they have stated that they have compromised with each other and the compromise is voluntary without any pressure or coercion and they have no objection if as per compromise, FIR of instant case is cancelled. The original statements of complainant, injured persons and the accused are sent herewith for kind perusal.

It is further submitted that there are only four aforesaid accused persons arrayed as accused in the present case and no accused is proclaimed offender in this case.”

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 DDR 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 DDR in question and the subsequent proceedings arising therefrom are quashed.

11.12.2015
sukhpreet

(RAJAN GUPTA)
JUDGE