

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

CRM-M-8258-2015 (O&M)
Date of decision: 28.8.2015

Mewa Singh and another ...Petitioners

Versus

State of Haryana & another ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Karan Singh, Advocate for the petitioners.
Mr. Vishal Kashyap, AAG, Haryana.
Mr. Sandeep Thakan, 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.83 dated 02.08.2011, registered under section 324/34 IPC at Police Station Titram, District Kaithal, on the basis of compromise.

Learned counsel for the 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 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, it is humbly submitted that on 29.04.2015 the parties appeared to get their statement recorded in compliance with order dated 13.03.2015 passed by Hon'ble High Court. The complainant Vinod Kumar and the accused Mewa Singh and Shamsheer Singh stated that they have compromised the matter in dispute without any threat and pressure. They will live in harmony in future and they have no objection if the aforementioned FIR is quashed. Their joint statement was separately recorded.

In view of the statement of the complainant Vinod Kumar and accused Mewa Singh and Shamsheer Singh, it appears that the parties have compromised the matter in dispute voluntarily and without any coercion or undue influence and the compromise is genuine and valid. The report is accordingly submitted for the kind perusal of your lordship.”

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

28.8.2015
'Rajpal'