

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8292-2015 (O & M)
Date of decision:03.08.2015

Sanjiv Kumar @ Vicky and ors.

...Petitioner(s)

Versus

State of Punjab and anr.

...Respondent

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. B.B.S. Randhawa, Advocate,
for the petitioners.

Mr. Ankur Jain, AAG, Punjab.

Mr. Gaurav Sharma, Advocate,
for Mr. Ranjit Singh, 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.61 dated 22.03.2013 registered under Sections 498-A/406 IPC at Police Station City Batala, Police District Batala 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 14, 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:-

“In my opinion, the compromise is genuine and voluntary and it was assured before hand that the parties are giving their statements without undue influence, coercion or threat. It is further submitted that three persons namely Sanjiv Kumar @ Vicky, Dev Raj and Neelam, who are petitioners are arrayed as accused and no person is proclaimed offender in the FIR as per judicial record.”

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.

03.08.2015
sukhpreet

(RAJAN GUPTA)
JUDGE