

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

CRM M-8415 of 2015

Date of decision : 27.07.2015

Harjit Kaur & anr.

....Petitioners

V/s

State of Punjab & anr.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Paramdeep Singh, Advocate for the petitioners.

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

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 36 dated 28.08.2010 registered under sections 452, 323, 34 IPC at police station Sandaur and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the petitioners submits 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 on 19.05.2015, 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:-

"Kindly refer to the subject cited above, I have the honour to report that in compliance of order referred above, statements of complainants and accused were recorded vide which they admit their compromise. Therefore, the undersigned is of the opinion that

(i) Number of persons arrayed as accused in FIR:
3

Mohinder Kaur not challaned in the case as her name shown in column no. 2 of charge sheet.

(ii) Whether any accused is proclaimed offence: No

(iii) The parties have entered into compromise genuinely, voluntarily, without any coercion or undue influence.

The statements of parties, in original, are attached herewith. Report is submitted please."

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

July 27, 2015

Ajay

(RAJAN GUPTA)
JUDGE