

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CRM-M-8577 of 2015 (O&M)
Date of decision: 15.10.2015

Amarjit Singh and another

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mrs. Poonam Tara, Advocate for the petitioners.
Ms. Rajni Gupta, Addl. Advocate General, Punjab.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.351 dated 15.10.2015, registered under section 498-A IPC at Police Station Chherretta, District Amritsar City, 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 FIR.

Heard.

It appears that vide order dated May 25, 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:-

“The accused as well complainant party by appearing in the court verified the factum of the compromise between the parties with the free

will and full of senses of the parties and also verified that this compromise was arrived at for the betterment of the parties and to avoid any future conflict/enmity between the parties. However, the statements of petitioner/accused namely Amarjit Singh and Ranjit Kaur were also got recorded separately regarding this compromise between the parties, who also deposed to the effect that the respectable of the society got effected the compromise between them and complainant party and the same was with the free will and full of senses of the parties and the same was arrived at for the betterment of the parties and to avoid any future conflict/enmity between the parties. They further deposed to the effect that on the basis of said compromise they have filed a Petition C.R.M. No.M-8577 of 2015 in Hon'ble Punjab and Haryana High Court titled as "Amarjit Singh and another Vs. State of Punjab and another" for quashing the proceedings on the basis of said compromise. The accused were identified by their counsel Shri Deepak Kumar Advocate, Amritsar."

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

15.10.2015
'Rajpal'