

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-986-2015 (O & M)
Date of decision:02.09.2015

Surinder Pal Bawa and ors. ...Petitioner(s)

Versus

State of Punjab and anr. ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Imran Farooqi, Advocate,
for Mr. D.S. Pheruman, Advocate,
for the petitioners.

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

Mr. Damanjit Singh Sandhu, 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.322 dated 23.09.2014 registered under Section 498-A IPC at Police Station Chherretta, Amritsar, 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 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:-

“With reference to order dated 12.01.2015 passed in CRM-M-986-2015, passed by Hon'ble Mr. Justice Naresh Kumar Sanghi, Judge, Hon'ble High Court of Punjab & Haryana, Chandigarh, and in compliance of the above said order, on 19.02.2015, the complainant Sunita Rani D/o Baldev Raj W/o Surinder Pal Bawa r/o House No.241, Near Kalgidhar Gurudwara, Vikas Nagar, Chheharta, District Amritsar, who has got registered the captioned FIR, against the petitioners, namely Surinder Pal Bawa S/o Parkash Chand Bawa, Parkash Chand Bawa S/o Surjan Dass & Amarjit W/o Parkash Chand, all R/o House No.241, Near Kalgidhar Gurudwara, Vikas Nagar, Chheharta, District Amritsar, appeared in this court & suffered statement that the entire matter has been settled with the petitioners & she has no objection if the said FIR against the aforesaid petitioners be quashed. The aforesaid petitioners also appeared in this court on 19.02.2015 and stated that the dispute between them has been compromised.

From the statements of the parties, it transpires that parties have willfully settled their differences and reached at bonafide compromise without any pressure and the same seems to be genuine. Hence, the requisite report.”

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.

02.09.2015

sukhpreet

**(RAJAN GUPTA)
JUDGE**