

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

CRM M-11242 of 2016

Date of decision : 12.05.2016

Amandeep Singh & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Shakti Mehta, Advocate for the petitioners.

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

Mr. H.S. Bedi, Advocate for respondent no. 2

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 150 dated 17.07.2014 registered under sections 324, 323, 506, 148, 149 IPC at police station Sadar Dhuri, District Sangrur and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the parties submit 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 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:-

"I have the honour to submit that in compliance of the orders of the Hon'ble Punjab and Haryana High Court dated 01.04.2016 passed in the subject cited case, statements of complainant Inderjit Singh and eye witness Varinder Singh as well as accused namely Amandeep Singh, Darshan Singh, Manjinder Singh, Manpreet Singh @ Gabru and Mani Singh, were recorded whereby they stated that instant FIR was registered against above named five persons/accused and no accused is proclaimed offender in this case. They further stated that they had entered into compromise with the intervention of respectable, with their own free will and without any pressure or coercion. They also placed on record Compromise dated 14.03.2016 as Ex. CX and submitted that on the basis of compromise, instant FIR may be quashed. My point-wise report is as under:-

- 1. As per record and statement of complainant Inderjit Singh, the instant FIR was registered against five accused persons against whom challan has been presented.*
- 2. As per challan as well as statement of the complainant and accused persons, no accused is proclaimed offender in the instant case.*
- 3. From the statements of the parties and document placed on record, the compromise arrived between*

the parties appears to be genuine and without any pressure or coercion.”

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

May 12, 2016

Ajay

(RAJAN GUPTA)
JUDGE