

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

**CRM-M-10623 of 2015(O&M)
Date of decision: 19.12.2016**

Gurjant Singh and another

..Petitioners

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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

Mr. Deep Singh, AAG, Punjab.

Ms. Manjit Kaur, Advocate,
for respondents no.2 and 3.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.94, dated 17.09.2014, registered under Sections 354 and 34 IPC, Police Station Sadar, Gurdaspur, District Gurdaspur and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court in his report dated 24.12.2015 has reported that the parties had appeared before it and their statements were recorded. On the basis of statements, it was reported that the compromise was genuine, voluntarily, without undue influence, coercion or threat. The trial court has also sent photocopies of statements of parties.

The trial Court in its subsequent report dated 30.01.2016, has pointed out that petitioner Gurjinder Singh @ Bau had appeared before the Court but he was not granted bail by the Court and proclamation against him was issued for 11.01.2016. These are subsequent developments taken place after the compromise.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent no.2 is the only aggrieved person in this FIR.

No useful purpose would be served to keep the FIR pending.

In view of the statements and report of the trial Court and the principles laid down by the Full Bench judgment of this Court in **Kulwinder Singh and others v. State of Punjab and another, 2007 (3) RCR (Criminal), 1052**, approved by Hon'ble Apex Court in **Gian Singh vs. State of Punjab and others (2012) 10 SCC 303**, the instant petition is allowed and the aforesaid FIR and all consequent proceedings conducted on the basis thereof are quashed qua the petitioners.

Needless to say that parties shall remain bound by the terms of compromise and their statements made in the Court below.

December 19, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No