

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

CRM M-18952 of 2014

Date of decision : 23.02.2016

Jaswinder Singh & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Rajiv Joshi, Advocate for the petitioners.

Mr. Ankur Jain, AAG Punjab.

Mr. Prateek Rathee, Advocate
for respondents no. 2 to 7.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 71 dated 23.03.2014 registered under sections 365, 452, 323, 506, 148, 149, 120-B IPC at police station Nakodar, Jalandhar 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:-

"As per the statements of the complainant/victims recorded by the undersigned, all of them have echoed the version having arrived at a voluntary compromise with free will without any pressure, coercion or undue influence. The complainant/victims Harjit Singh son of Phuman Singh, Balwinder Kaur and Sukhwinder Singh even made statement that they have got no objection if the FIR in question is quashed. The original statements of the parties recorded by the undersigned are being sent herewith.

On the basis of statements made by the parties before me, the compromise on the face of it appears to be genuine one having been arrived at by the parties with free will without any pressure or coercion. There is nothing on the record to doubt the genuineness of the compromise so arrived at between the parties. However, it is submitted that Ramanpreet Kaur did not put up appearance in the court for recording her statement."

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.

February 23, 2016

Ajay

(RAJAN GUPTA)
JUDGE