

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

CRM-M-20023 of 2016(O&M)

Date of Order:18.11.2016

Sandeep Gupta and others

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Ramneen Vasudeva, Advocate,
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Mr. Amit Gupta, Advocate, for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.18, dated 04.02.2016, registered under Sections 323, 498-A and 34 IPC (Sections 406 and 342 IPC added subsequently), Police Station City Rupnagar, District Rupnagar and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Learned counsel for the petitioners submits that he may be permitted to withdraw the present petition qua petitioners No.2 and 3, with liberty to challenge the same, on merits.

In view of the submission made by counsel for the petitioners, the present petition is dismissed as withdrawn qua petitioners no.2 and 3.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is without any inducement and coercion. The trial Court has also reported that the complainant does not want to withdraw the present case against the accused Surinder Mohan Gupta and Rita Gupta. The trial court has also sent original statements of parties.

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 petitioner no.1 only.

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

November 18, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No