

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

**CRM NO. M-2015 OF 2009(O&M)
DECIDED ON : 28.01.2016**

**Pardeep Kumar @ Pardeep Singh @ Deepu
and others**

...Petitioners

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE RAJAN GUPTA

Present : Mr. Mr. S. K. Verma, Advocate for
Mr. Neeraj Malhotra, Advocate,
for the petitioners.

Mr. Arun Luthra, AAG, Haryana.

None for respondent No.2.

RAJAN GUPTA, J. (ORAL)

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No.171 dated 28.12.2014 registered under sections 365/323/506/148 IPC registered at police station Nagal, District Rupnagar and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the petitioners submits 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 submits 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:-

" Further, it is humbly submitted that as per directions of Hon'ble Punjab & Haryana High Court, on 30.04.2015, complainant/injured Ricky, who was duly identified by his counsel Sh.Roshan Lal, Adv. appeared and made statement in the Court that present FIR was registered against the accused on his statement and he has entered into compromise with the accused Pardeep Kumar @ Pardeep Singh @ Deepu, Nikka Singh, Ganesh @ Dinesh Kumar, Gopal Singh and Ravinder Kumar with the intervention of respectable of the village and their family members and that he has entered into compromise out of his own free will and without any undue influence and pressure from any side and has no objection if the FIR of present case is quashed and also produced on record photocopy of written compromise as Mark-A. Similarly, accused Pardeep Kumar @ Pardeep Singh @ Deepu, Nikka Singh, Ganesh @ Dinesh Kumar, Gopal Singh and Ravinder Kumar, who were duly

identified by their counsel Sh. Arish Shama, Adv. made joint statement in the Court that they have entered into compromise with complainant Ricky with the intervention of respectable persons of the village vide compromise Mark-A and identified their signatures on the same.”

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.

(RAJAN GUPTA)
JUDGE

JANUARY 28, 2016
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