

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

CRM-M-21016 of 2015

Date of Decision: April 22, 2016.

Bittu Virdhi @ Satinder Singh

....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. Vikas Gupta, Advocate, for the petitioner.
Ms.Rajni Gupta, Addl.A.G, Punjab

Rajan Gupta, J (Oral)

Petitioner has filed this petition under Section 482 Cr.P.C seeking quashing of criminal complaint bearing RBT No.30/7964 dated 23.4.2013 registered under Section 3(10) of SC & ST (Prevention of Atrocities) Act, 1989 and Sections 323, 324, 506 IPC as well as summoning order and all 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 F.I.R deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in **Kulwinder Singh's** case supra and submit that in case a compromise is arrived at between the parties the State shall not stand in the way of quashing of criminal complaint.

Heard

It appears that on 6.7.2015, 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 gone through the statements given by the parties and posed various questions to know whether any compromise has been effected between the parties. I am satisfied that compromise has been effected between the parties and without any pressure or coercion of anyone. The sole purpose of the parties for effecting compromise between them is their desire to live in peace and harmony.

It is further humbly submitted that as per the report of Ahlmad attached to this court, no proceedings under Section 82/83 of Cr.P.C is pending against the accused in this court. It is further humbly submitted as per the report of Ahlmad, no other case against the accused and complainant is pending in the court of undersigned.”

The 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 criminal complaint 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 criminal complaint and subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

April 22, 2016.
BB