

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

CRM M-21574 of 2015

Date of decision : 08.04.2016

Murid Ali & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Shilesh Gupta, Addl. A.G. Punjab.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 110 dated 27.09.2011 registered under sections 452, 324, 148, 149 IPC at police station Maqsudan, District Jalandhar and all the subsequent proceedings arising therefrom on the basis of compromise.

Learned counsel for the petitioners 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***, he submits that in view of compromise, 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:-

"4. From the perusal of FIR, it is clear that only above said accused Murid Ali s/o Swaran Deen, Liakat Ali s/o Murid, Surma s/o Murid have been named in the present case. Moreover, accused have not been declared as Proclaimed Offender in any proceedings before any court of law. It is respectfully submitted that in view of the statements got recorded by both parties, this court is satisfied that the compromise effected between the parties is genuine one, which is not the result of any pressure or coercion. Further the settlement between the parties is not having any adverse affect upon any third party."

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.

April 08, 2016

Ajay

(RAJAN GUPTA)
JUDGE