

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

CRM-M-2760 of 2016(O&M)

Date of Order:25.10.2016

Ajit Singh Bhatia and another

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sukhdeep Parmar, Advocate,
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Ms. Anju Sharma, Advocate, for
Mr. Sukhwinder Singh Sudan, Advocate
for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

Counsel says that the costs have been deposited.

The instant petition is for quashing of FIR No.239, dated 09.10.2015, registered under Sections 406, 498-A, 506, 323, 34 IPC, Police Station Dera Bassi, District SAS Nagar and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

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 with their free will and without any coercion. The trial court has also sent photocopies of 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 the petitioner.

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

October 25, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No