

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

CRM M-31983 of 2015

Date of decision : 25.02.2016

Sarabjit Singh @ Sabu & ors.

....Petitioners

V/s

State of Punjab & ors.

....Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. R.K. Arya, Advocate for the petitioners.

Mr. Sidakmeet Sandhu, AAG Punjab.

Mr. S.S. Gill, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 21 dated 18.04.2015 registered under sections 323/324/427/148/149 IPC at police station Bhaini Mian Khan, District Gurdaspur and all the subsequent 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 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 on 20.11.2015 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:-

"From the statements of the parties recorded, it appears to the Court that the parties have entered into said compromise which is without any pressure, coercion and the same has been done with the free consent of the parties. It is further submitted that FIR has been registered against total nine accused and all of them have appeared and got recorded their statements and none of the accused has been declared proclaimed offender."

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.

February 25, 2016

Ajay

(RAJAN GUPTA)
JUDGE