

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.

CRM-M-33430 of 2015 (O&M)
Date of decision: February 26, 2016

Sanjay Kumar and another ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Sharmila Sharma, Advocate for the petitioners.
Mr. Arun Luthra, AAG, Haryana.
Ms. Minakshi Poswal, Advocate for respondents No.2 & 3.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.655 dated 02.09.2015, registered under sections 323, 506 IPC at Police Station Civil Lines, Karnal, on the basis of compromise.

Learned counsel for the parties submit that 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 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:-

“I have the honour to submit that in compliance of order dated 18.12.2015 passed by Hon'ble High Court in CRM-M-33430-2015 titled Sanjay Kumar and another Vs. State of Haryana and other, separate statements of the complainants (2) as well as of accused (2) qua compromise recorded. The parties have stated that they have compromised the matter as per compromise deed Annexure P-2. They have stated that the compromise is genuine, voluntarily and without any coercion or undue influence. Copies of statements suffered by the complainants as well as accused (2) and compromise deed are annexed herewith.”

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 the above, the present FIR and the subsequent 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

February 26, 2016
'Rajpal'