

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-36872 of 2015

Date of Decision: May 31, 2016.

Gurjant Singh & others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Ms.Satwant Mehta, Advocate
for the petitioners.

Mr.Ankur Jain, AAG, Punjab

Mr.Jasmandeep, Advocate
for respondent No. 2.

Rajan Gupta, J (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No. 91 dated 26.7.2015 registered under Sections 326, 323, 324, 506, 341, 148, 149 IPC at Police Station, Goindwal Sahib, District, Tarn Taran 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 (CrI.) 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 F.I.R.

Heard

It appears that on 5.2.2016, 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:-

“In this regard a joint statement of accused Gurjant Singh, Jarnail Singh, Gurwinder Singh @ Tuti, all residents of village Dhunda, Tehsil, Khadoor Sahib, District Tarn Taran and Prabhjit Singh @ Prabh, resident of village Hansawala, Tehsil Khadoor Sahib, District Tarn Taran was recorded to the effect that a compromise has been effected with the complainant in the abovesaid FIR. They further stated that they have no grievance with the complainant. They have no objection if the abovesaid FIR may kindly be quashed against them.

Thereafter, a statement of complainant Lakhwinder Singh son of Gurdial Singh resident of village Dhunda, Tehsil Khadoor Sahib, District Tarn Taran was recorded to the effect a compromise has been effected with the accused in the abovesaid FIR. He further stated that he has no grievance with the accused persons. He has no objection if the abovesaid FIR, may kindly be quashed against the quashed against the accused persons.

From the statements of the accused and the complainant, it appears that compromise has been effected between the accused and the complainant voluntarily, without any pressure. As such, along with statements of the parties, report is hereby submitted for your kind perusal please.”

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 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 F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

May 31, 2016.
BB