

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-37775 of 2015
Date of Decision: 11.05.2016

Rajesh Kumar @ Rajesh Kapoor

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arun Sheoran, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.

Mr. Yogesh Goel, Advocate
for respondents No. 2 to 5.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 64 dated 18.12.2011 registered under Sections 323, 341, 294, 354, 506 IPC, Police Station Daresi, Ludhiana (Annexure P-1) 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 voluntary, without any pressure or coercion and genuine. The trial Court has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioner is 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 Vs. 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 petitioners.

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

**(ANITA CHAUDHRY)
JUDGE**

**May 11, 2016
Gurpreet**