

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-389-2016 (O & M)
Date of decision:30.03.2016

Dhanjit Singh

...Petitioner(s)

Versus

State of Punjab and ors.

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. S.P. Soi, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Mr. Sahil Soi, Advocate,
for respondents No.2 and 3.

Rajan Gupta, J. (oral)

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.111 dated 27.06.2014, registered under Sections 323/452/506 IPC at Police Station Mehatpur, District Jalandhar, 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:-

“Complainant Satpal and Harpreet Kaur have suffered statement that they have compromised the matter with the accused person namely Dhanjit Singh. There is no grudge against the accused. The compromise is voluntarily, without any pressure or coercion. Similarly, accused Dhanjit Singh also suffered statement to the effect that the matter has been compromised with complainant. Complainant and accused are duly identified.

It is further submitted that in the above noted case only accused Dhanjit Singh is appearing and the said accused is not proclaimed offender.

This court is of the considered opinion from the above said statements that the compromise has been effected between the complainant and accused persons and same is voluntary, without any pressure or coercion and is genuine one.”

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.

30.03.2016
sukhpreet

(RAJAN GUPTA)
JUDGE