

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM M-38355 of 2015

Date of decision : 30.05.2016

Sonia & ors.

...Petitioners

V/s

UT Chandigarh & anr.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Kirpal Singh Thakur, Advocate for the petitioners.

Ms. Ashima Mor, Standing counsel for UT.

Mr. D.D. Sharma, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 222 dated 07.05.2013 registered under sections 147, 149, 452, 323, 325, 506 IPC at police station Sector 39, Chandigarh 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 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:-

“It is humbly submitted that on 18.12.2015 parties in the above noted case appeared before the undersigned in compliance of order dated 16.11.2015 passed by the Hon’ble High Court. In compliance of said order I have inquired from them (especially from complainant Anita Kapoor) regarding validity of compromise and found that the parties have settled the dispute amicably without any undue influence or pressure. Statements of parties were recorded and report in this regard is enclosed herewith for kind perusal of Hon’ble High Court, as desired.”

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.

May 30, 2016

Ajay

(RAJAN GUPTA)
JUDGE