

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM M-40397 of 2015

Date of decision : 30.05.2016

Abhishek Dass & anr.

...Petitioners

V/s

State of Haryana & anr.

...Respondents

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Vishal Deep Goyal, Advocate for the petitioners.

Mr. Arun Luthra, AAG Haryana.

Mr. M.S. Dhaliwal, Advocate for respondent no. 2.

RAJAN GUPTA J.

Petitioners have filed this petition under section 482 Cr.P.C. seeking quashing of FIR No. 25 dated 25.02.2015 registered under sections 420/406 IPC at police station Sadar Jagadhri, District Yamuna Nagar 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 respectfully submitted that Hon’ble High Court vide order dated 01.12.2015 passed in above captioned Criminal Misc. had directed this court to record the statements of parties with regard to the compromise and sent the detailed report to Hon’ble High Court on or before 22.01.2015. In compliance of the order of Hon’ble High Court, both the parties are present and their statements have been recorded. They have been enquired generally and I am satisfied that they have compromise the matter. In their statements also, they have stated that the matter has been compromised and the complainant does not want to proceed with the case. The report is submitted to Hon’ble High Court for further proceedings. Copy of statements of parties be attached with this report.”

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