

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-40602 of 2015
Date of Decision: 26.04.2016**

Bhupinder Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Rajiv Vij, Advocate
for the petitioners.

Mr. K.S.Aulakh, AAG, Punjab.

Respondent No. 2 in person.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 198 dated 30.4.2015 registered under Sections 498-A, 406 IPC, Police Station Phagwara City, District Kapurthala (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 genuine, out their free will and without any pressure or coercion. The trial Court has also sent copy of the statements of parties and the compromise.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent No. 2 is the only aggrieved person in this FIR. Learned State counsel states that

Head Constable Kabal Singh identifies the complainant/respondent No. 2 present in Court today.

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**

April 26, 2016
Gurpreet