

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

CRM-M-40616 of 2015

Date of Decision: February 02, 2016.

Roshan Lal and others

....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. A.S.Bhatti, Advocate
for the petitioners.

Mr.R.S.Randhawa, Addl.A.G.,Pb.

Mr.Ritesh Pandey, Advocate
for respondent No.2.

Rajan Gupta, J (Oral)

Petitioners have filed this petition under Section 482 Cr.P.C seeking quashing of F.I.R No.14 dated 1.2.2013 registered under Sections 323, 325, 148, 149 IPC and Section 447 IPC added later on at Police Station, Mukerian, District Hoshiarpur 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 (CrI.) 1052**, learned counsel submit that in view of compromise, the impugned F.I.R deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in **Kulwinder Singh's** case supra and submit that in case a compromise is

arrived at between the parties the State shall not stand in the way of quashing of F.I.R.

Heard

It appears that on 4.12.2015, 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:-

“In view of the above order the parties i.e the complainant Balbir Singh s/o Jagdish Singh r/o village Musahibpur, PS Mukerian Distt. Hoshiarpur and accused Roshan Lal s/o Dharu Ram, accused Manjit Singh @ Honey s/o Roshan Lal, accused Satish Kumar s/o Sham Singh, accused Sham Singh s/o Parkash Singh, accused Sunita Devi w/o Roshan Lal and accused Akshey Kumar s/o Jagir Singh, all r/o village Musahibpur, PS Mukerian Distt. Hoshiarpur alongwith their Ld counsels came present in the court on 15.1.2016 and their statements have been recorded. After going through the statement of the parties, it is observed that the matter has been compromised between the parties with the intervention of the respectables and the compromise is genuine, voluntary and without any coercion or undue influence in respect of FIR No.14 dated 1.2.2013, under Sections 323, 325, 148, 149 IPC registered at PS Mukerian. Further report of concerned Police Station has been summoned vide which it has been reported by concerned Police Station that no other case is pending against either of accused persons. Perusal of file further reveals that none of the accused has ever been declared as proclaimed offender in present case. Perusal of file further reveals that petition has been filed on behalf of all the accused. All the grievances have been settled amicably between the parties without any coercion or undue influence. The report is hereby submitted for kind consideration and further necessary action, please.”

The 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 F.I.R in question and the subsequent proceedings arising therefrom are quashed.

(Rajan Gupta)
Judge

February 02, 2016.
BB