

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

CRM-M-40848 of 2015(O&M)

Date of Order: 27.10.2016

Nitin Goyal and another

..Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Mohinder S. Nain, Advocate,
for the petitioners.

Mr. K.S.Aulakh, AAG, Punjab

Mr. Abhinav Gupta, Advocate, for respondent no.2.

ANITA CHAUDHRY, J. (Oral)

The instant petition is for quashing of FIR No.82, dated 10.06.2015, registered under Sections 498-A and 406 IPC, Police Station City Sri Muktsar Sahib, District Muktsar and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Learned counsel for the petitioners submits that petitioner no.2-Arun Goyal, was not in a condition to appear before the Courts below as he is suffering from Advanced Parkinsonism and is totally bedridden. Counsel further says that medical certificate of petitioner no.2 was placed before the trial Court.

Report has been received from the trial Court after statements of the parties were recorded, except petitioner no.2,

regarding the compromise. The trial Court has reported that accused Arun Goyal had not appeared to record his statement. The trial Court has reported that the compromise is voluntarily and without any pressure. The trial court has also sent statements of parties.

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.

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 v. 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.

October 27, 2016
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(ANITA CHAUDHRY)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No