

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

**CRL. MISC. No.M-40880 OF 2015
DATE OF DECISION : 25th FEBRUARY, 2016**

Sukhbir Singh Nijjar

.... **Petitioner(s)**

Versus

State of Punjab & another

.... **Respondent(s)**

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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Present : Ms. Isha Goel, Advocate for the petitioner.

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

Mr. Prabhdeep Singh, Advocate for
Mr. G. S. Sandhu, Advocate for respondent No.2.

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ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No.84 dated 19.06.2010 registered under Sections 406 and 498-A IPC at Police Station Goraya, District Jalandhar and the consequent proceedings arising out of the same, on the basis of written compromise (Annexure P-7) arrived at between the parties.

Learned counsel for the petitioner contends that the petitioner was declared proclaimed offender and he was abroad and had filed CRM No.M-30548-2015, in which directions were given not to take coercive steps and the parties were sent for mediation and ultimately a compromise was effected and that petition was withdrawn on 30.11.2015 and the present petition was filed on the very next day and interim protection was granted in this case as well

and the parties have made statement and the petitioner had also appeared to make the statement.

Report has been received from learned JMIC, Phillaur after statements of the parties were recorded regarding the compromise. Learned JMIC has reported that the compromise is voluntary and without any pressure or coercion. Learned JMIC has also sent statements of the parties.

Learned counsel for the State on instructions submits that petitioner is 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 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, order dated 24.12.2010; and all consequent proceedings conducted on the basis thereof are quashed qua the petitioner.

Needless to say that the parties shall remain bound by the terms of compromise and their statements made in the Court below.

25th February, 2016
'raj'

(ANITA CHAUDHRY)
JUDGE