

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

**CRL. MISC. No.M-41001 OF 2015 (O&M)
DATE OF DECISION : 16th FEBRUARY, 2016**

Sukhwinder Singh

.... **Petitioners**

Versus

State of Punjab & another

.... **Respondents**

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

* * * *

Present : Mr. D. S. Nigha, Advocate for the petitioner.

Mr. K. S. Aulakh, Assistant Advocate General, Punjab.

* * * *

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No.128 dated 26.08.2013 registered under Sections 498-A and 406 IPC at Police Station Kharar, District SAS Nagar (Mohali) and the consequent proceedings arising out of the same, on the basis of written compromise (Annexure P-2) arrived at between the parties.

Report has been received from learned JMIC, Kharar 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 copy of 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 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.

16th February, 2016
'raj'

(ANITA CHAUDHRY)
JUDGE