

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

**CRL. MISC. No.M-41169 OF 2015
DATE OF DECISION : 18th FEBRUARY, 2016**

Baljit Singh & others

.... Petitioners

Versus

State of Punjab & another

.... Respondents

CORAM : HON'BLE MRS. JUSTICE ANITA CHAUDHRY

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Present : Mr. Surinder Singh Siao, Advocate for the petitioner.

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

Mr. Harish Sharma, Advocate for respondent No.2.

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ANITA CHAUDHRY, J. (ORAL)

Process fee by the petitioner has not been filed. However respondents have appeared through their counsel. Mr. Harish Sharma, Advocate filed power of attorney on behalf of respondent No.2.

The instant petition is for quashing of FIR No.109 dated 05.08.2013 registered under Sections 498-A, 406, 323, 419, 420, 417, 465, 494 and 120-B IPC at Police Station Division No.2, District Pathankot 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 JMJC, Pathankot 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 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 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 the parties shall remain bound by the terms of compromise and their statements made in the Court below.

18th February, 2016
'raj'

(ANITA CHAUDHRY)
JUDGE