

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-41317 of 2015
Date of Decision: 13.05.2016**

Rakesh Kumar alias Raju and othersPetitioners

Versus

State of Punjab and anotherRespondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Avinash Mandla, Advocate
for the petitioners.

Mr. Deep Singh, AAG, Punjab.

Respondent No. 2 in person along with
Ms. Amandeep Soni, Advocate.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 104 dated 27.11.2014 registered under Sections 498-A, 406, 120-B, 506, 34 IPC and Section 4, 6 of the Dowry Act, Police Station Division No. 1, Pathankot (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of written compromise arrived at between the parties.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. The trial Court has reported that the compromise is voluntary. The trial Court has also sent copy of the statements of parties and the compromise.

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.

A draft of ₹ 50,000/- has been handed over to the complainant-respondent No. 2 who is present in person.

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

**(ANITA CHAUDHRY)
JUDGE**

**May 13, 2016
Gurpreet**