

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Crl. Misc. No. M-42249 of 2015

Date of decision : 29.07.2016

Jatinder Kumar and others

..... Petitioners

versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sarju Puri, Advocate
for the petitioners

Mr. Deep Singh, AAG Punjab

Mr. Mehakpreet Khaire, Advocate for
Mrs. G.K. Mann, Advocate
for respondent No. 2

ANITA CHAUDHRY, J. (ORAL)

The instant petition is for quashing of FIR No. 140 dated 13.07.2010 filed under Sections 406, 498-A IPC registered at Police Station A-Division, District Amritsar City and the consequent proceedings arising out of the same, on the basis of 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 and without any pressure or coercion. The trial Court has also sent copy of statements of parties.

Learned State counsel on instructions submits that petitioners are the accused and respondent No. 2 is the complainant/aggrieved person in this case.

Learned counsel for the petitioners states that anticipatory bail had been allowed to petitioner No. 1 and others and there were directions to deposit Rs. 1 lac and that amount was deposited in 2010 and the parties had agreed that the amount would be withdrawn by petitioner No. 1 and the same has to be returned. There is no objection to this from the side of the complainant and the statement in this regard was made by the complainant.

Rs. 1,00,000/- deposited before the Court below be released in favour of Jatinder Kumar.

No useful purpose would be served to keep the said 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 the consequent proceedings arisen out of the same are quashed.

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

July 29, 2016

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**(ANITA CHAUDHRY)
JUDGE**

Whether Reasoned/Speaking

Yes/No

Whether Reportable

Yes/No