

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-43017 of 2015
Date of Decision: 09.9.2016**

Rajesh Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Arnav Sood, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Sumer Singh Brar, Advocate
for respondent No. 2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 26 dated 15.3.2013 registered under Sections 406, 498-A IPC, Police Station Division No. 2, Pathankot, District 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.

Mr. Sumer Singh Brar, Advocate puts in appearance on behalf of respondent No. 2 and has filed the power of attorney.

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

(ANITA CHAUDHRY)
JUDGE

September 09, 2016
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No