

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-5104 of 2015
Date of Decision: 12.07.2016**

Jatinder Singh Virk

.....Petitioner

Versus

State of Punjab/Haryana and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Naresh Chander, Advocate for
Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. S.S.Sarwara, Advocate
for respondents No. 2 and 3.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No. 40 dated 4.4.2011 registered under Sections 498-A, 406 IPC, Police Station Kotbhai, District Muksar (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 genuine and voluntary. The trial Court further reported that five persons were arrayed as accused in the FIR including the petitioner out of which accused Harpartap Singh, Kawaljit Kaur @ Kawalpreet Kaur and Hardev Singh were acquitted by the trial

trial Court has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that five persons were arrayed as accused in the FIR including the petitioner and respondents No. 2 and 3 are the only aggrieved persons 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 only.

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

(ANITA CHAUDHRY)
JUDGE

July 12, 2016
Gurpreet