

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-8597-2015 (O & M)
Date of decision:04.04.2016

Rohit Bhumbla ...Petitioner(s)

Versus

State of Punjab and ors. ...Respondent(s)

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Ms. Gagan Mohini, Advocate,
for the petitioner(s).

Mr. Ankur Jain, AAG, Punjab.

Rajan Gupta, J. (oral)

Petitioner has filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.63 dated 05.06.2012, registered under Sections 279, 337 and 427 IPC at Police Station Mataur (Mohali), on the basis of compromise.

Learned counsel for the petitioner submits that a compromise has been arrived at between the parties and dispute has been amicably settled. Relying upon the judgment reported as ***Kulwinder Singh and others vs. State of Punjab, 2007 (3) RCR (Crl.) 1052***, learned counsel submits that in view of compromise, the impugned FIR deserves to be quashed.

Learned State counsel does not dispute the ratio of judgment in *Kulwinder Singh's case (supra)* and submits that in case a compromise is arrived at between the parties, the State would not stand in the way of quashing of FIR.

Heard.

It appears that on 11.08.2015, a direction was issued by this court to record the statements of the parties with regard to validity or otherwise of the compromise. A report has been received from the trial court. Operative part thereof reads thus:-

“I am satisfied as per their statements made, that a compromise has been effected between the parties and the statements are recorded voluntarily with their free will and consent, without any fear or pressure. The said compromise appears to have been a result of an amicable settlement between the parties.

The statements in original of the parties, along with attested copy of the special power of attorney of the injured Jaspreet Singh Bajwa, are being sent for kind perusal of the Hon'ble court. The report is submitted as desired by your good self.”

Compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served by continuance of the criminal proceedings. In view of the above, the present FIR and the subsequent proceedings arising therefrom deserve to be quashed in light of Full Bench judgment of this court in *Kulwinder Singh's case* (*supra*).

Resultantly, the present petition is allowed. The FIR in question and the subsequent proceedings arising therefrom are quashed.

04.04.2016
sukhpreet

(RAJAN GUPTA)
JUDGE