

IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.

CRM-M-9784-2015 (O&M)  
Date of decision: May 20, 2016

Pritpal Singh and another ...Petitioners

Versus

State of Punjab & others ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. K.B.S. Mann, Advocate for the petitioners.  
Ms. Rajni Gupta, Addl. Advocate General, Punjab.  
Mr. Nitin Rampal, Advocate for respondent No.2.

**Rajan Gupta, J.(oral)**

Petitioners have filed this petition under Section 482 Cr.P.C. seeking quashing of FIR No.11 dated 28.08.2010, registered under sections 452, 325, 323 IPC at Police Station Lakhewali, District Sri Muktsar Sahib, on the basis of compromise.

Learned counsel for the parties submit 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 submit 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, vide order dated February 19, 2016, 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:-

“In compliance with aforesaid order, parties have appeared along with counsel. Present case FIR has been registered on the basis of statement of complainant Kulwant Singh s/o Gura Singh r/o Bhagsar, Tehsil & Distt. Sri Muktsar Sahib. However, he has arrived into compromise with the accused with the intervention of the respectable. Compromise is voluntarily, without any pressure, coercion and with freewill. He has no objection if the FIR is quashed and accused are acquitted. Similarly, separate statement of petitioners/accused namely Parkash Singh s/o Darshan Singh, r/o village Bhagsar, Tehsil and District Sri Muktsar Sahib, Pritpal Singh s/o Darshan Singh r/o Village Bhagsar, Tehsil and District Sri Muktsar Sahib, have been recorded wherein, they have admitted factum of compromise being arrived into without any pressure, coercion. Both the parties have been identified by their respective counsel. This court is satisfied that aforesaid statement made by parties are voluntarily and their compromise have been arrived into without any pressure, coercion or threat. Only petitioner are accused in this case. No accused is PO in this case. Report is hereby sent to your goodself along with copies of statements of complainant/respondent and accused/petitioners, as ordered by your goodself.”

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. It is stated before the court that after registration of FIR, investigative machinery

was set into motion and considerable time of the court was consumed. Admittedly, the trial of the case is at its fag end. This court, thus, deems it proper to impose cost of proceedings. Learned counsel for the petitioners informs that Rs.20,000/- has been deposited with the Punjab State Legal Services Authority. Photocopy of the receipt has been produced, which is taken on record as Mark 'A'.

In view of the above report, further proceedings shall exercise futility. Therefore, 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.

**(RAJAN GUPTA)**  
**JUDGE**

May 20, 2016  
'Rajpal'