

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-20151 of 2018(O&M)

Date of Decision: 24.08.2018

Raj Kumar and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: None for the petitioners.

Mr.Sukhbeer Singh, AAG, Punjab.

None for respondent No.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.108, dated 08.09.2016, registered under Sections 376, 498-A and 120-B IPC, at Police Station Dhariwal, District Gurdaspur and all 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 genuine, out their free will and without any pressure or coercion. The trial Court has also sent the copies of the statements of the parties.

Learned counsel for the State on instructions submits that petitioners are the only accused and respondent No. 2 is the only aggrieved person in this FIR.

It is a case of matrimonial dispute, wherein the parties have arrived at a compromise.

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 petitioners.

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

**(ANITA CHAUDHRY)
JUDGE**

August 24, 2018
Anjal

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No