

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-22625 of 2018
Date of Decision: 15.12.2018**

Kapil Bhati and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Amit Kumar Jain, Advocate
for the petitioners.

Mr. Tanvir Joshi, AAG, Punjab.

None for respondent No. 2.

ANITA CHAUDHRY, J (ORAL)

The instant petition is for quashing of FIR No. 413 dated 10.12.2017 registered under Sections 498-A, 406 IPC, Police Station City Barnala 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 and voluntary. The trial Court has also sent the statements of the parties in original.

Learned counsel for the State on instructions submits that petitioners No. 1 to 4 are the only accused and respondent No. 2 is the only aggrieved person in this FIR.

The complainant has moved an application for registration of

No. 5 was found innocent and she was not arrayed as accused in the present FIR, however she has been arrayed as petitioner in the present petition.

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**

December 15, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No