

CRM-M-23787-2018

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**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-23787-2018

Date of decision : 19th November, 2018

SAURAB DHARNA

.....Petitioner

Versus

STATE OF PUNJAB AND ANR

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Deepak Vashishth, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Vikas Bishnoi, Advocate
for complainant/respondent No.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.04 dated 30.03.2017 registered under Section 406 IPC, registered at Police Station NRI Jalandhar, District Jalandhar and 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 voluntary and without any pressure or coercion. The trial Court has also sent copy of the statements of parties.

Learned counsel for the State on instructions submits that

petitioner are the only accused and respondent no.2 is the only aggrieved person 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.

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

(ANITA CHAUDHRY)
JUDGE

19.11.2018

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No