

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

CRM-M-28647-2017

Date of decision : 05.04.2018

Rajinder Pal Singh and others

.....Petitioner(s)

versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Prashant Vashisth, Advocate
for the petitioners.

Mr. K.S. Aulakh, D.A.G., Punjab.

None for respondent No.2.

ANITA CHAUDHRY, J(ORAL)

The instant petition is for quashing of FIR No.43 dated 25.04.2011 registered under Sections 328, 406, 498-A and 120-B of IPC and later on added Section 307 of IPC at Police Station Division No.4, Ludhiana and 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 voluntary and without any pressure or coercion. The trial Court has also sent copies of the statements of parties and the compromise.

Learned counsel for the petitioners submits that now the complainant/respondent No.2 is staying together with her husband/petitioner No.1.

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.

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

05.04.2018

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No