

In the High Court of Punjab and Haryana at Chandigarh

Crl. Misc. No. M-3313 of 2018 (O&M)

Date of Decision: 15.10.2018

Kirpal Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. S.S.Walia, Advocate
for the petitioners.

Ms. Jaspreet Kaur, AAG, Punjab.

None for respondent No. 2.

ANITA CHAUDHRY, J (ORAL)

The instant petition is for quashing of FIR No. 163 dated 30.9.2011 registered under Sections 307, 323, 147, 148 IPC, Police Station Dakha, District Ludhiana Rural (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of compromise (Annexure P-2) arrived at between the parties.

Counsel for the petitioner has placed on record copy of the passport of petitioner Kirpal Singh. It is stated that he had come to India in 2011 and on 19.10.2013 he was declared proclaimed offender. The further submits that there are two cases and he has been summoned in the complaint case.

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 has been effected between the parties without

any pressure and with their free will. The trial Court has also sent the copy 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.

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**

October 15, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No