

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-34248 of 2017 (O&M)
Date of Decision: 30.10.2018**

Avtar Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Ms. Jaspreet Kaur, Advocate for
Mr. Mandeep Singh Sachdev, Advocate
for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Akashdeep Miglani, Advocate for
Ms. Jatinder Jit Kaur, Advocate
for respondent No. 2.

ANITA CHAUDHRY, J (ORAL)

The instant petition is for quashing of FIR No. 16 dated 24.6.2017 registered under Sections 498-A IPC, Police Station NRI Jalandhar Rural, District Jalandhar (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of compromise arrived at between the parties.

Report had been received from the trial Court after statements of the parties were recorded regarding the compromise. CJM, Jalandhar had expressed doubt regarding genuineness of the compromise as the statement was made by the attorney of the petitioner who was the lawyer.

The petitioner is abroad, he was asked to place his affidavit duly notarized. The affidavit along with copy of the passport has been filed

Learned counsel for the State on instructions submits that petitioner is 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

October 30, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No