

In the High Court of Punjab and Haryana at Chandigarh

**Crl. Misc. No. M-43490 of 2017
Date of Decision: 19.9.2018**

Vikas Ahuja and another

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Davinder Pal Soni, 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. 0009 dated 14.4.2017 registered under Sections 498-A IPC, Police Station Kabirpur, District Kapurthala (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.

Report has been received from the trial Court after statements of the parties were recorded regarding the compromise. Petitioner No. 1 had made statement before the Court below that his brother i.e. petitioner No. 2 could not appear as he was admitted in the hospital. The trial Court has reported that the compromise is genuine, voluntary and without any pressure or coercion. The trial Court has also sent the copy of the statements of the parties.

Learned counsel for the State on instructions submits that petitioners and Darshna are the only accused and out of them Darshna had died 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**

September 19, 2018
Gurpreet

Whether speaking/reasoned	:	Yes
Whether reportable	:	No