

**In the High Court of Punjab and Haryana at Chandigarh**

**Crl. Misc. No. M-49203 of 2017  
Date of Decision: 08.3.2018**

Bittu Masih

.....Petitioner

Versus

State of Punjab and another

.....Respondents

**CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY**

Present: Mr. Sachin Ohri, Advocate  
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

Mr. Rajan Bhargava, Advocate  
for respondent No. 2.

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**ANITA CHAUDHRY, J (ORAL)**

The instant petition is for quashing of FIR No. 43 dated 11.4.2017 registered under Sections 363, 366 IPC, Police Station City Batala (Annexure P-1) and all the consequent proceedings arising out of the same, on the basis of written compromise dated 1.12.2017 (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. The trial Court has reported that the compromise is genuine, voluntary and without any coercion. The trial Court has also sent the copy of the statements of the parties and statement of the victim.

Learned counsel for the State on instructions submits that petitioner is the only accused and respondent No. 2 and the victim are the

aggrieved persons 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**

**March 08, 2018**  
Gurpreet

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|----------------------------------|----------|------------|
| <b>Whether speaking/reasoned</b> | <b>:</b> | <b>Yes</b> |
| <b>Whether reportable</b>        | <b>:</b> | <b>No</b>  |