

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

288

CRM-M-8318-2018

Date of decision : November 29, 2018

NISHAN SINGH

.....Petitioner

Versus

STATE OF PUNJAB & ANR

...Respondent(s)

CORAM: HON'BLE MRS. JUSTICE ANITA CHAUDHRY

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

Mr. G.S. Rawat, Advocate
for complainant/respondent No.2.

ANITA CHAUDHRY, J(ORAL)

Report has been received which does not refer to the payment of cost. Counsel for the petitioner at Bar states that the cost of ₹2500/- as directed by this Court is already deposited with the District Legal Services Authority.

A copy of order dated 29.10.2018 and 30.08.2018 be sent to the District Legal Services Authority and report be called from the Secretary, District Legal Services Authority regarding the deposit of costs.

The instant petition is for quashing of FIR No.167 dated 01.09.2015 registered under Sections 406 and 498A IPC, registered at Police Station Jalandhar, District Jalandhar and the consequent proceedings arising out of the same, on the basis of written 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 copy of the statements of parties.

Learned counsel for the State on instructions submits that petitioner 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 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

29.11.2018

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No