
(2009) 02 P&H CK 0040
In the Punjab And Haryana At Chandigarh

Gurmukh Singh and Others	Vs	APPELLANT
The State of Punjab and Another		RESPONDENT

Date of Decision : 11-02-2009

Acts Referred:

Criminal Procedure Code, 1973 (CrPC) — Section 482
Penal Code, 1860 (IPC) — Section 120B

Citation : (2009) 02 P&H CK 0040

Hon'ble Judges : Rajan Gupta, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Rajan Gupta, J.—The petitioners have filed this petition u/s 482 Cr.P.C. for quashing of FIR No. 304 dated 16th September, 2002, under Sections 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Sadar, Ferozepur (Annexure P-1) and the subsequent proceedings arising therefrom, on the basis of compromise/affidavit (Annexure P-2).

2. The complainant and petitioner No. 4 are stated to be real brothers while petitioners No. 1 to 3 are stated to be cousin brothers of the complainant. Complainant/respondent No. 2 is present in Court. He is duly identified by his counsel. He has filed an affidavit, which is taken on record as Mark "A", admitting therein the factum of compromise arrived at between the parties. He states that he has no objection if the present FIR is quashed.

3. The compromise is in the interest of the parties and after the matter has been resolved by an amicable settlement, no useful purpose is likely to be served with continuance of the criminal proceedings, which would be a futile exercise.

4. In view of the above, the present FIR and the consequent proceedings deserve to be quashed in the light of the decision of Full Bench of this Court in Kulwinder Singh and Ors. v. State of Punjab 2007 (3) RCR (Cri)1052.

5. Resultantly, the present petition is allowed, the FIR and the subsequent

proceedings arising therefrom are quashed.