

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Criminal Misc. No. M-14421 of 2013
Date of Decision:-10.04.2015**

Suman and others

...Petitioners

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present:- Mr. Vikram Anand, Advocate
for the petitioners.

Mr. R.S. Nain, AAG Punjab.

HARI PAL VERMA J.(Oral)

Prayer in the present petition is for quashing of FIR No.59 dated 28.3.2011, under Sections 384 and 506 IPC, registered at Police Station, City Ferozepur, District Ferozepur (Annexure P-1) on the basis of compromise dated 22.12.2012 (Annexure P-2).

Vide order dated 7.2.2014, this Court passed the following order :-

“The parties are directed to appear before the trial Court on 13.2.2014. The said Court will record the statements of the parties on said date or on any other date convenient to it and send a report regarding the matter having been amicably compromised between the parties without any coercion or undue influence.

For report and arguments, adjourned to 27.5.2014.”

In compliance of the order dated 7.2.2014, the parties have

appeared before the learned Magistrate on 28.3.2014 except accused-petitioner Dev, who appeared before the learned Magistrate on 12.9.2014 for getting their statements recorded.

The reports received from the learned Judicial Magistrate 1st Classs, Ferozepur, reveal that the compromise has been effected between the parties without any undue pressure or any undue influence.

Learned State counsel does not dispute the aforesaid factual position, rather admit the factum of compromise effected between the parties.

Heard.

Since the parties have entered into a compromise for an offence punishable under Sections 384 and 506 IPC and learned Magistrate has recorded their statements followed by his report, continuation of the trial arising out from the impugned FIR and consequential proceedings would be sheer abuse of the process of law since chances of the conviction are bleak.

Keeping in view the factum of compromise effected between the parties and the law laid down by this Court in the case of **Kulwinder Singh and others vs. State of Punjab and another 2007(3) RCR (Crl.) 1052 (P & H)**, this petition is accepted and FIR No.59 dated 28.3.2011, under Sections 384 and 506 IPC, registered at Police Station, City Ferozepur, District Ferozepur and the consequential proceedings arising therefrom are hereby quashed.

April 10, 2015
Vijay Asija

(**HARI PAL VERMA**)
JUDGE