

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 268

CRM-M-10234-2016

Decided on : 20.02.2017

Chaman Lal and another

..... Petitioner(s)

VERSUS

State of Punjab and another

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Mohit Jaggi, Advocate, for the petitioner(s).

Mr. K. S. Sidhu, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition, quashing of FIR No. 51 dated 05.05.2015, registered under Section 420 IPC, at Police Station Ajnala, Amritsar (Rural) (Annexure P-1) alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 24.08.2016, the parties were directed to appear before the Illaqa Magistrate/Duty Magistrate to get their statements recorded, who in turn was directed to record the statements of both the parties with regard to the genuineness of the compromise and send its report along with the statements of the parties as also to intimate whether any criminal case and proclamation proceedings is pending against either of the parties.

As directed, report dated 18.01.2017 from the Sub Divisional Judicial Magistrate, Ajnala, has been received, as per which the parties recorded their statements before the Illaqa Magistrate/Duty Magistrate in terms of the compromise arrived at between them, the compromise has been effected between them without any threat, coercion or undue influence and there is no case or proclamation proceedings pending between them.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance to the afore-referred FIR would be an abuse of the process of law and in terms of the law laid down by the Full Bench of this Court in **Kulwinder Singh and others versus State of Haryana and others, 2007 (3) RCR (Criminal) 1052**, I deem it just and proper to allow the petition and resultantly quash the FIR No. 51 dated 05.05.2015, registered under Section 420 IPC, at Police Station Ajnala, Amritsar (Rural), and all proceedings arising therefrom.

20.02.2017
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[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No