

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

**CRM-M No.10320 of 2017
Date of Decision: 25.05.2017**

Pardeep Kumar @ Goggi and another **..... Petitioners**

Versus

State of Punjab and another **..... Respondents**

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rahul Bhargava, Advocate
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab
for respondent No.1-State.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.30 dated 23.02.2017, registered under Sections 323, 324 and 34 IPC, at Police Station Kamboj, District Amritsar Rural along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 27.03.2017, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate on 03.04.2017 for recording of their statements with regard to the genuineness of the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also apprise this Court the number of persons involved in the present FIR; whether any of them has been declared as proclaimed offender(s) and is there any other criminal case pending against them.

As directed, report dated 11.04.2017 from the Judicial Magistrate, Ist Class, Amritsar has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them without any coercion or undue influence, none of the accused is declared as proclaimed offender and no other criminal case is pending against them.

Learned State counsel has also no objection if the present petition is allowed .

In view of the above as also for the reasons that the dispute between the parties is private in nature; at the initial stage of investigation; not a heinous offence; between the parties, who belong to the same area and that the matter having been compromised, continuation of the proceedings in pursuance of 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 Vs. 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.30 dated 23.02.2017, registered under Sections 323, 324 and 34 IPC, at Police Station Kamboj, District Amritsar Rural and all subsequent proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 25, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No