

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

Sr. No.253

CRM-M No.10358 of 2017

Date of decision: 26.05.2017

Avtar Singh and another

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Janak Singh Bhinder, Advocate,
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

None for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C., quashing of FIR No.20 dated 06.03.2017, registered under Sections 341, 323, 324, 34 IPC, at Police Station Dharamgarh, District Sangrur, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 27.03.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded, who in turn was directed to send a report to this Court with regard to the veracity of the compromise, if any, between the parties as also to inform whether the petitioners or any of their co-accused have ever been declared as proclaimed offender and is there any other case pending against them.

As directed, report dated 10.04.2017, from the Judicial Magistrate Ist Class, Sunam (Sangrur), has been received, as per which the parties recorded their statements before the trial Court in terms of the

compromise arrived at between them, the petitioners are the only accused in the present case, none of them has ever been declared proclaimed offender and there is no other case 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 parties belong to the same village; the dispute is private in nature; the offence is not heinous and the matter having been compromised at the initial stage of investigation; 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.20 dated 06.03.2017, registered under Sections 341, 323, 324, 34 IPC, at Police Station Dharamgarh, District Sangrur and all proceedings arising therefrom qua the petitioners only.

(DEEPAK SIBAL)
JUDGE

May 26, 2017

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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>