

CRM-M-13196 of 2016**Date of decision:20.01.2017****Atul Sharma**

... Petitioner

VS.

State of Punjab & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Mr. Vijay Lath, Advocate
for the petitioner.

Ms. Divya, AAG, Punjab.

Mr. Surinder Sharma, Advocate
for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of FIR No.01, dated 02.01.2011, registered under Section 406 and 498-A of IPC, at Police Station A Division, Amritsar City District Amritsar(Annexure P-1), is sought on the basis of compromise(Annexure P-2).

Through order of this Court dated 07.11.2016, the parties were directed to appear before the Ilqa Magistrate/trial Court to get their statements recorded, who in turn was directed to send a report in this regard to this Court as also to apprise this Court the number of persons involved in the present FIR and if any of them has been declared as proclaimed offender.

As directed, report dated 07.01.2017 from the Judicial Magistrate Ist Class, Amritsar, has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them and the petitioner who is the only accused is not a

CRM-M-13196 of 2016

proclaimed offender.

In view of the above, 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 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.01, dated 02.01.2011, registered under Section 406 and 498-A of IPC, at Police Station A Division, Amritsar City District Amritsar, and all proceedings arising therefrom.

(Deepak Sibal)
Judge

January 20, 2017
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<i>Whether speaking/reasoned:</i>	<i>Yes/No</i>
<i>Whether Reportable:</i>	<i>Yes/No</i>