

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

Sr. No.265-2

**CRM-M No.14670 of 2017
Date of decision: 31.05.2017**

Mohinder Singh and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Joginder Pal Ratra, Advocate,
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Amit Kumar Saini, Advocate
for respondent Nos.2 to 4.

* * *

DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C., quashing of DDR No.27 dated 26.02.2014, registered under Sections 341, 323, 506, 148, 149 IPC in FIR No.33 dated 26.02.2014, registered under Sections 323, 324, 506, 34 IPC (Section-201 IPC added subsequently), at Police Station Samrala, District Khanna, is sought for on the basis of compromise (Annexure P-3).

Through order of this Court dated 28.04.2017, the parties were directed to appear before the trial Court 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 11.05.2017, from the Sub-Divisional

Judicial Magistrate Samrala, has been received, as per which the parties

recorded their statements before the trial Court in terms of the compromise arrived at between them, no proclamation proceedings are pending against any of the accused and none of them has ever been declared proclaimed offender.

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 is between the private parties who belong to the same village; the offence is not heinous and the matter having been compromised at the initial stage of the trial; 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 DDR No.27 dated 26.02.2014, registered under Sections 341, 323, 506, 148, 149 IPC in FIR No.33 dated 26.02.2014, registered under Sections 323, 324, 506, 34 IPC (Section-201 IPC added subsequently), at Police Station Samrala, District Khanna and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 31, 2017
Jyoti 1

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