

Daljit Kaur & Ors.

... Petitioners

VS.

State of Punjab & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * * *

Present : Mr. Mohit Chugh, Advocate
for the petitioners.

Mr. Jashanpreet Singh, AAG, Punjab.

Mr. Dhawaljeet Dutta, Advocate
for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of cross case vide rapat No.22(Annexure P-2) dated 23.04.2013 in FIR No.50, dated 22.04.2013, registered under Sections 452, 324, 326, 323, 427, 148 and 149 IPC, at Police Station Tibber District Gurdaspur(Annexure P-1) is sought for on the basis of compromise(Annexure P-3).

Through order of this Court dated 11.05.2016, the parties were directed to appear before the Ilaqa Magistrate/trial Court to get their statements recorded, who in turn was directed to send a report 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 22.06.2016 from the District & Sessions Judge, Gurdaspur 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 none of the accused is 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 cross case vide rapat No.22, dated 23.04.2013 in FIR No.50, dated 22.04.2013, registered under Sections 452, 324, 326, 323, 427, 148 and 149 IPC, at Police Station Tibber District Gurdaspur, and all proceedings arising therefrom.

(Deepak Sibal)
Judge

January 18, 2017
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Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No