

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

Sr. No.259

CRM-M No.1625 of 2017

Date of decision: 31.05.2017

Naresh Kumar

....Petitioner

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Deepak Singh Saini, Advocate,
for the petitioner.

Mr. Sharad Yadav, DAG, Haryana.

Mr. Rajesh Goyal, Advocate
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.658 dated 01.08.2013, registered under Sections 465/466/467/468/471 IPC, at Police Station Thanesar, District Kurukshetra, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 19.01.2017, 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 24.01.2017, from the Chief Judicial Magistrate Kurukshetra, 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 petitioner has never been

declared as proclaimed offender and there is no other case pending against him.

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 FIR No.658 dated 01.08.2013, registered under Sections 465/466/467/468/471 IPC, at Police Station Thanesar, District Kurukshetra and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 31, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>