

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

Sr. No. 240

CRM-M-17294-2016

Decided on : 28.04.2017

Amrik Singh

..... Petitioner(s)

VERSUS

State of Punjab and others

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aakash Singla, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Ms. Gagandeep Kaur, Advocate for
Mr. Munish Garg, Advocate
for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.117 dated 29.05.2014, registered under Sections 406, 420 IPC (Sections 467, 468, 471 IPC added later on), at Police Station Kotwali Patiala, District Patiala, final report dated 15.05.2015, under Sections 406, 420, 468, 471, 472, 120-B IPC (Annexure P-2) and order dated 27.07.2015 framing charge against the petitioner, under Sections 420, 468, 471, 472, 120-B IPC (Annexure P-3) and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-4).

Vide order dated 19.05.2016, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to the genuineness of the compromise, who in turn was directed to submit a report along with the recorded statements with

regard to the genuineness of the compromise arrived at between the parties as also to apprise this Court the number of persons involved in the present FIR and whether any of them has been declared as a proclaimed offender.

As directed, report dated 22.08.2016 from the Chief Judicial Magistrate, Patiala, has been received, as per which the petitioner and the complainant had recorded their statements before the trial Court in terms of the compromise arrived at between them, no proceedings were initiated against the other accused in the FIR namely Sikander Singh due to his incorrect address and none of the accused are declared as proclaimed offender.

Learned State counsel has also no objection if the present petition is allowed .

In view of the above as also for the reason that the dispute between the parties is private in nature; at the initial stage of trial and that the matter having been compromised, 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 Vs. 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.117 dated 29.05.2014, registered under Sections 406, 420 IPC (Sections 467, 468, 471 IPC added later on), at Police Station Kotwali Patiala, District Patiala, final report dated 15.05.2015, under Sections 406, 420, 468, 471, 472, 120-B IPC (Annexure P-2) and order dated 27.07.2015 framing charge against the petitioner, under Sections 420, 468, 471, 472, 120-B IPC (Annexure P-3) and all proceedings arising therefrom.

Since there are two accused and only one of them has filed the present petition, it is clarified that through the present order, the afore-referred proceedings only qua the petitioner, are quashed.

April 28, 2017
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[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No