

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.256

CRM-M-1815-2016

Decided on : 18.05.2017

Balwinder Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.K.S.Chahal, Advocate, for the petitioners.

Mr.K.S.Sidhu, DAG, Punjab.

Mr.D.P.S.Mann, Advocate, for
Mr.C.K.Singla, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through this petition, quashing of FIR No.29, dated 21.06.2011, registered under Sections 452, 324 and 34 IPC, at Police Station Bakhshiwala, District Patiala, alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise.

Through order of this Court dated 02.05.2017, the parties were directed to appear before the trial Court for recording their statements with regard to compromise, who in turn was directed to record the statements of both the parties to its satisfaction and send a report to this Court clearly opining therein with respect to the veracity of the compromise.

As directed, report dated 15.05.2017 from the Judicial Magistrate, Ist Class, Nabha, has been received, as per which the parties have recorded their statements before the trial court in terms of the compromise arrived at between them.

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 present dispute is between the private parties, who belong to the same village; the offence not being heinous and that the compromise having been effected between them at the stage of investigation, 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 FIR No.29, dated 21.06.2011, registered under Sections 452, 324 and 34 IPC, at Police Station Bakhshiwala, District Patiala, and all proceedings arising therefrom.

18.05.2017
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[DEEPAK SIBAL]
JUDGE

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