

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

**CRM-M No.2622 of 2017
Date of Decision: 16.05.2017**

Bhupinder Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. D. S. Malwai, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab
for respondent No.1-State.

None for respondent No.2.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C., the petitioners seek quashing of FIR No.94 dated 27.10.2016, registered under Sections 323, 324, 341, 427, 506, 34 and 326 IPC, at Police Station Rureke Kalan, Tehsil Tapa, District Barnala, on the basis of compromise (Annexure P-2).

On January 27, 2017, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate on 20.02.2017 for recording of their statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the number of persons arrayed as accused in the present FIR; whether any accused is proclaimed offender and the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 23.03.2017 from the Additional Chief Judicial Magistrate, Barnala has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them without any pressure or undue influence, no other criminal proceedings are pending against either of the parties and none of the accused is 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 reasons that the dispute between the parties is private in nature; at the initial stage of investigation; does not pertain to a heinous offence; between the parties, who belong to the same village 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.94 dated 27.10.2016, registered under Sections 323, 324, 341, 427, 506, 34 and 326 IPC, at Police Station Rureke Kalan, Tehsil Tapa, District Barnala and all proceedings arising therefrom, qua the present petitioners.

(DEEPAK SIBAL)
JUDGE

May 16, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No