

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

**CRM-M No.29433 of 2014
Date of Decision: 25.05.2017**

Surinder Kaur and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

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

Mr. Rajat Bansal, AAG, Punjab
for respondent No.1-State.

Mr. Rajiv K. Kapila, Advocate
for respondent No.3.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. the petitioners seek quashing of FIR No.107 dated 09.07.2014, registered under Sections 420, 441, 34, 506 and 120-B IPC, at Police Station Dasuya, District Hoshiarpur along with all subsequent proceedings arising therefrom, on the basis of compromise.

Through order dated September 24, 2015 read with orders dated 08.02.2016, 05.04.2016 and 08.12.2016, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court for recording of their statements with regard to the compromise/settlement, 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 FIR; whether any accused is proclaimed offender and whether the compromise is genuine, voluntary and without any coercion or under influence.

As directed, reports dated 01.04.2016 and 03.01.2017 from the Judicial Magistrate, Ist Class, Dasuya have been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them 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, continuation of the proceedings in pursuance of the afore-referred FIR in which the dispute between the private parties is primarily civil in nature; investigation is at the initial stage and 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.107 dated 09.07.2014, registered under Sections 420, 441, 34, 506 and 120-B IPC, at Police Station Dasuya, District Hoshiarpur and all consequential proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 25, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No