

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

**CRM-M No.33212 of 2016
Date of Decision: 27.03.2017**

Harpreet Singh alias P.T. and others

.... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Abhinav Jain, Advocate
for the petitioners.

Mr. Neeraj Sharma, AAG, Punjab
for respondent No.1-State.

Mr. Amaninder Singh Sekhon, 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.116 dated 23.10.2015, registered under Sections 341, 324, 323, 427, 506, 148 and 149 IPC (offence under Section 326 IPC added later on), at Police Station Jaito, District Faridkot and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 19.09.2016, while issuing notice of motion, this Court had directed the parties to appear before the trial Court, who in turn was directed to record the statements of the parties and submit a report with regard to the genuineness of the compromise arrived at between the parties as also to intimate whether any of the accused is a proclaimed offender and the compromise will not affect the rights of any third party.

As directed, report dated 28.11.2016 from the Sub Divisional Judicial Magistrate, Jaitu has been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them without any threat, coercion or undue influence and there is no case/proclamation proceedings pending against the accused, none of the accused is a Proclaimed Offender and the compromise will not effect the rights of any third party.

Learned State counsel has also raised no objection with regard to the above facts.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the offence does not reveal a heinous crime, is not against the public at large and in which the trial is yet to commence, 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.116 dated 23.10.2015, registered under Sections 341, 324, 323, 427, 506, 148 and 149 IPC (offence under Section 326 IPC added later on), at Police Station Jaito, District Faridkot and all proceedings arising therefrom, qua the present petitioners.

March 27, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No