

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

Sr. No. 236

CRM-M-36099-2016

Decided on : 03.02.2017

Dara Singh and another

..... Petitioner(s)

VERSUS

State of Punjab and another

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

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

DEEPAK SIBAL, J. (ORAL)

Through the present petition, quashing of FIR No.88 dated 08.04.2015, registered under Sections 341, 323, 506, 34 and 295-A of IPC, at Police Station Sultanwind, District Amritsar City, alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 07.10.2016, the parties were directed to appear before the Illaqa Magistrate/trial Court to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court the number of persons involved in the present FIR; whether any of them has been declared proclaimed offender; and whether the compromise is genuine, voluntary and without coercion or undue influence.

As directed, report dated 09.12.2016 from the Judicial Magistrate Ist Class, Amritsar, has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them and none of the accused is proclaimed offender.

Learned State counsel has also raised no objection.

In view of the above, 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 the FIR No. 88 dated 08.04.2015, registered under Sections 341, 323, 506, 34 and 295-A of IPC, at Police Station Sultanwind, District Amritsar City, and all proceedings arising therefrom.

03.02.2017
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[DEEPAK SIBAL]
JUDGE

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