

CRM-M-3598 of 2017**Date of decision: 03.04.2017****Manu Kohli**

... Petitioner

VS.

State of Punjab & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

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Present : Mr. R.P. Dhir, Advocate
for the petitioner.

Mr. Rajat Bansal, AAG, Punjab.

Ms. Suresha Rani, Advocate
for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of FIR No.102, dated 01.10.2014, registered under Sections 406, 420 IPC, at Police Station Haryana, District Hoshiarpur is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 06.02.2017, the parties were directed to appear before the 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 arrayed in the present FIR, if any of them has been declared as proclaimed offender and the status of the trial.

As directed, report dated 09.03.2017 from the Judicial Magistrate Ist Class, Hoshiarpur, has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them, no other case is pending between the parties and none of the accused is 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 commercial in nature and the trial is at the initial stage, 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.102, dated 01.10.2014, registered under Sections 406, 420 IPC, at Police Station Haryana, District Hoshiarpur, and all proceedings arising therefrom.

April 03, 2017
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(Deepak Sibal)
Judge