

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

**Sr. No. 260**

**Case No. : Crl. Misc. No. M-38475 of 2016**

**Date of Decision : February 09, 2017**

Sukhvir Singh @ Viku and another                      ....      Petitioners  
vs.  
State of Punjab and another                                      ....      Respondents

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL.**

\* \* \*

Present :      Mr. Jitender Singh Dadwal, Advocate  
for the petitioners.

Ms. Dhivya Jerath, Advocate  
for the State of Punjab.

\* \* \*

**DEEPAK SIBAL, J. :**

Through the present petition, quashing of FIR No. 40 dated 04.03.2015, registered under Sections 323, 324, 506, 34 IPC (Section 326 IPC added later on), at Police Station Machhiwara, Police District Khanna, District Ludhiana, along with all consequential proceedings arising therefrom, is sought, on the basis of compromise dated 17.10.2016 arrived at between the parties.

Through order of this Court dated 26.10.2016, 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 and if any of them has been declared Proclaimed Offender.

As directed, report dated 06.12.2016 from the Judicial Magistrate Ist Class, Samrala 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 a 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 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. 40 dated 04.03.2015, registered under Sections 323, 324, 506, 34 IPC (Section 326 IPC added later on), at Police Station Machhiwara, Police District Khanna, District Ludhiana, along with all consequential proceedings arising therefrom.

( DEEPAK SIBAL )  
JUDGE

February 09, 2017

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|-----------------------------|---------|
| Whether speaking/reasoned ? | Yes/No. |
| Whether reportable ?        | Yes/No. |