

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

Sr. No.259

CRM-M No.41141 of 2016

Date of decision: 20.03.2017

Kulwant Kaur and others

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Deepak Aggarwal, Advocate, for the petitioners.

Mr. Neeraj Sharma, AAG, Punjab.

Mr. Nipun Gupta, Advocate for
Mr. Sandeep Sharma, Advocate,
for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, quashing of FIR No.86 dated 21.06.2016, registered under Sections 420, 379, 365, 384, 342, 506, 120-B, 148, 149 IPC, at Police Station Canal Colony, District Bathinda, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 18.11.2016, the parties were directed to appear before the Chief Judicial Magistrate/Illaq Magistrate to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court with regard to validity or otherwise of the compromise effected between the parties and also intimate whether any criminal proceedings are pending against either of the parties.

As directed, report dated 23.12.2016 from the Judicial Magistrate, Ist Class, Bathinda, 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 no criminal proceedings are pending against

any of them.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance to the afore-referred FIR in which allegations are with regard to a private dispute between the parties; the 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 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.86 dated 21.06.2016, registered under Sections 420, 379, 365, 384, 342, 506, 120-B, 148, 149 IPC, at Police Station Canal Colony, District Bathinda, and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

March 20, 2017

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(i) Whether speaking/reasoned Yes/No
(ii) Whether reportable Yes/No