

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

**CRM-M No.42711 of 2016
Date of Decision: 16.03.2017**

Ram Pal and another

.... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gurminder Singh Salana, Advocate
for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab
for respondent No.1-State.

Mr. Fariad Singh Virk, 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.56 dated 11.05.2013, registered under Sections 379 and 411 IPC, at Police Station Sadar Samana, District Patiala and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On December 01, 2016, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 19.12.2016 for recording of their respective statements with regard to the compromise/settlement, who in turn was directed to submit a report with regard to the number of persons arrayed as accused in FIR; whether any of them was proclaimed offender and whether the compromise is genuine, voluntary and without any coercion or undue influence.

As directed, report dated 22.12.2016 from the Judicial Magistrate, Ist Class, Samana 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; the petitioners are the only accused in the present FIR and none of them has been declared Proclaimed Offender.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, in which the allegations pertain to a private dispute 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 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.56 dated 11.05.2013, registered under Sections 379 and 411 IPC, at Police Station Sadar Samana, District Patiala and all proceedings arising therefrom, qua the petitioners.

March 16, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No