

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.255

CRM-M No.44084 of 2016

Date of decision: 07.03.2017

Sunny and others

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Saqib Ali Khan, Advocate, for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Anil Kumar Garg, Advocate, for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Through the present petition, quashing of FIR No.16 dated 11.03.2014, registered under Sections 452, 427, 506, 148, 149 IPC, at Police Station City-II Malerkotla, District Sangrur, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 09.12.2016, 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 if any of the accused has been declared proclaimed offender and that rights of any third party will not be effected by the compromise.

As directed, report dated 08.02.2017 from the Judicial Magistrate Ist Class, Malerkotla (Sangrur), has been received, as per which the parties 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 the them have been declared as 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 in which allegations pertain to a private dispute between the parties and in which the trial is at the initial stage, 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.16 dated 11.03.2014, registered under Sections 452, 427, 506, 148, 149 IPC, at Police Station City-II Malerkotla, District Sangrur, and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

March 07, 2017
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(i) Whether speaking/reasoned Yes/No
(ii) Whether reportable Yes/No