

257-2

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

**CRM-M No.44230 of 2015 (O&M)
Date of Decision: 01.03.2017**

Harpreet Singh @ Happy and others

.... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rahul Jaswal, Advocate
for the petitioners.

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

Mr. Vivek K. Thakur, Advocate
for respondents No.2 and 3.

DEEPAK SIBAL J. (ORAL)

Through the present petition, quashing of DDR No.18 dated 05.08.2015, registered under Sections 307, 452, 427, 341, 323, 148, 149 IPC and Sections 25/27 of Arms Act, 1959 recorded in case FIR No.86 dated 04.08.2015 registered under Sections 307/452/427/323/148/149 and Section 25/27 of Arms Act, 1959, (Section 307 IPC and Section 25/27 Arms Act deleted later on) at Police Station Lohian, District Jalandhar and all subsequent proceedings arising therefrom, is sought for on the basis of compromise (Annexure P-4).

Through order of this Court dated 07.01.2016, the parties were directed to appear before the learned Chief Judicial Magistrate, Jalandhar to get their statements recorded, who in turn was directed to send a report to this Court alongwith the recorded statements of the parties.

As directed, report dated 16.02.2017 from the Chief Judicial Magistrate, Jalandhar has been received, as per which the parties had recorded their statements before the learned Chief Judicial Magistrate, Jalandhar in terms of the compromise arrived at between them.

Learned State counsel has also raised no objection.

In view of the above, continuation of the proceedings in pursuance of 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 DDR No.18 dated 05.08.2015, registered under Sections 307, 452, 427, 341, 323, 148, 149 IPC and Sections 25/27 of Arms Act, 1959 recorded in case FIR No.86 dated 04.08.2015 registered under Sections 307/452/427/323/148/149 and Section 25/27 of Arms Act, 1959, (Section 307 IPC and Section 25/27 Arms Act deleted later on) at Police Station Lohian, District Jalandhar and all proceedings arising therefrom.

March 01, 2017

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**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No