

CRM-M-45617 of 2016**Date of decision: 23.02.2017****Harwinder Singh @ Harminder Singh**

... Petitioner

VS.

State of Punjab & Anr.

... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

* * *

Present : Mr. H. S. Dandi, Advocate
for the petitioner.

Ms. Dhivya Jerath, Advocate for
respondent-State.

Mr. Gurpreet Singh, Advocate
for respondent No.2.

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DEEPAK SIBAL, J.(ORAL)

Through the present petition, quashing of FIR No.97, dated 05.11.2016, registered under Sections 279/ 337/ 295/ 323/ 506 IPC, at Police Station Division No.8, District Police Commissionerate Ludhiana (Annexure P-1) is sought on the basis of compromise (Annexure P-2).

Through order of this Court dated 21.12.2016, the parties were directed to appear before the Illaqa Magistrate/Chief Judicial Magistrate to get their statements recorded, who in turn was directed to send a report to this Court as also to apprise this Court whether any criminal case and proclamation proceedings are pending against either of the parties.

As directed, report dated 25.01.2017 from the Judicial Magistrate Ist Class, Ludhiana has been received, as per which the parties recorded their statements before the trial Court in terms of the compromise arrived at between them.

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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 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.97, dated 05.11.2016, registered under Sections 279/ 337/ 295/ 323/ 506 IPC, at Police Station Division No.8, District Police Commissionerate Ludhiana and all proceedings arising therefrom.

February 23, 2017
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(Deepak Sibal)
Judge

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No