

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

**CRM-M No.4873 of 2017
Date of Decision: 17.04.2017**

Kuldeep Singh and others

..... Petitioners

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gaurav Sharma, Advocate
for the petitioners.

Mr. Neeraj Yadav, AAG, Punjab
for respondent No.1-State.

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.04 dated 16.01.2017, registered under Sections 452, 323, 506, 148 and 149 IPC, at Police Station Chhajali, District Sangrur, and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On 15.02.2017, this Court had directed the parties to appear before the Illaqa Magistrate on 21.02.2017 for recording of their statements with regard to the genuineness of the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise, if any, between the parties as also to apprise this Court the number of persons involved in the present FIR and whether any of them has been declared as a proclaimed offender.

As directed, report dated 22.02.2017 from the Judicial Magistrate, Ist Class, Sunam has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them.

Learned State counsel has also no objection if the present petition is allowed .

In view of the above as also for the reason that the dispute between the parties is private in nature; at the initial stage of investigation; does not pertain to a heinous offence; between the parties, who belong to the same village and for the reason that the matter has 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.04 dated 16.01.2017, registered under Sections 452, 323, 506, 148 and 149 IPC, at Police Station Chhajali, District Sangrur and all proceedings arising therefrom, qua the present petitioners.

(DEEPAK SIBAL)
JUDGE

April 17, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No