

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 272

CRM-M-5453-2017

Decided on : 06.04.2017

Amarjit Singh @ Bittu

..... Petitioner(s)

VERSUS

State of Punjab and another

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.G.S.Kaura, Advocate, for the petitioner.

Mr.Neeraj Yadav, AAG, Punjab.

None for respondent No.2.

DEEPAK SIBAL, J. (ORAL)

Through the present petition, quashing of FIR No.324, dated 14.12.2016, registered under Sections 420, 467, 468 and 471 IPC, at Police Station City Khanna, District Ludhiana, alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise.

Through order of this Court dated 17.02.2017, the parties were directed to appear before the Illaqa Magistrate for recording their statements with regard to compromise, who in turn was directed to record the statements of both the parties to its satisfaction and send a report to this Court as also to apprise the Court the number of persons involved in the present FIR and whether any of them has been declared proclaimed offender.

As directed, report dated 28.03.2017 from the Additional Civil Judge (Senior Division)-cum-SDJM, Khanna, has been received, as per which the parties recorded their statements before the trial court in terms of the compromise arrived at between them and the petitioner who is the only accused in this case has not been declared as proclaimed offender.

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 present dispute which is between the private parties is of commercial nature, the trial is yet to commence and the compromise having been effected between the parties, continuation of the proceedings in pursuance to 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 FIR No.324, dated 14.12.2016, registered under Sections 420, 467, 468 and 471 IPC, at Police Station City Khanna, District Ludhiana, and all proceedings arising therefrom.

06.04.2017
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No