

**262-2 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.6554 of 2017
Date of Decision: 01.05.2017**

Malkiat Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vishal Sodhi, Advocate
for the petitioners.

Mr. Rajat Bansal, AAG, Punjab
for respondent No.1-State.

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

DEEPAK SIBAL J. (ORAL)

The present petition has been filed under Section 482 Cr.P.C. for quashing of cross case registered under Sections 323/325 IPC vide rapat No.27 dated 20.07.2015 in FIR No.51 dated 30.05.2015, registered under Sections 323, 324, 452 and 34 IPC, at Police Station Ghuman, Police District Batala, District Gurdaspur and all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On February 28, 2017, this Court had directed the parties to appear before the trial Court on 09.03.2017 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 whether the petitioners or any of their co-accused have been declared as proclaimed offender(s) if is there and any other case pending against them.

As directed, report dated 31.03.2017 from the Judicial Magistrate, Ist Class, Batala has been received, as per which the parties had recorded their statements before the trial Court in terms of the compromise arrived at between them and none of the accused is declared as proclaimed offender.

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

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR in which the allegations pertain to a private dispute between the parties; not heinous in nature; investigation is yet to be completed and 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 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 cross case registered under Sections 323/325 IPC vide rapat No.27 dated 20.07.2015 in FIR No.51 dated 30.05.2015, registered under Sections 323, 324, 452 and 34 IPC, at Police Station Ghuman, Police District Batala, District Gurdaspur and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 01, 2017
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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No