

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

Sr. No.263

CRM-M No.6874 of 2017
Date of decision: 08.05.2017

Harmander Singh and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Harish Goyal, Advocate,
for the petitioners.

Mr. Neeraj Yadav, AAG, Punjab.

Mr. Mohit Jaggi, Advocate for
Mr. Hargobinder Singh Gill, Advocate
for respondents No.2 and 3.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C., quashing of FIR No.110 dated 06.07.2013, registered under Sections 436, 427, 148, 149 IPC, at Police Station Raman, District Bathinda, is sought for on the basis of compromise (Annexure P-2).

Through order of this Court dated 02.03.2017, the parties were directed to appear before the Illaqa Magistrate to get their statements recorded, who in turn was directed to send a report to this Court with regard to the veracity of the compromise, if any, between the parties as also to inform whether the petitioners or any of their co-accused have ever been declared as proclaimed offender and is there any other case pending against them.

As directed, report dated 22.03.2017, from the Sub-Divisional Judicial Magistrate, Talwandi Sabo, has been received, as per which the

parties recorded their statements before the trial Court in terms of the

compromise arrived at between them the petitioners are the only accused in the present case and none of them has ever been declared proclaimed offender.

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

In view of the above as also for the reasons that the dispute between the parties is private in nature in which after investigation cancellation report has also been filed by the police; the offence is not heinous and the matter having been compromised, 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 the FIR No.110 dated 06.07.2013, registered under Sections 436, 427, 148, 149 IPC, at Police Station Raman, District Bathinda and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 08, 2017

Jyoti 1

(i) Whether speaking/reasoned
(ii) Whether reportable

Yes/No
Yes/No