

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.261-2

CRM-M No.7019 of 2017

Date of decision: 09.05.2017

Shaminder Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Naveen Sharma, Advocate for
Mr. BPS Dhindsa, Advocate, for the petitioners.

Mr. Rajat Bansal, AAG, Punjab.

Mr. KBS Mann, Advocate, for respondent No.2.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 482 Cr.P.C., quashing of FIR No.48 dated 18.10.2016, registered under Sections 341/323 IPC, at Police Station Lakhewali, District Sri Muktsar Sahib, 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 with regard to the compromise, if any, between the parties as also to inform whether the petitioner or any of his co-accused are declared as proclaimed offender(s) ever and is there any other case pending against him.

As directed, report dated 27.03.2017, from the Sub-Divisional Judicial Magistrate, Malout, 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 none of them has ever been as 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 is between the parties belonging to the same village; the offence is not heinous in nature in which the investigation is yet to conclude 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.48 dated 18.10.2016, registered under Sections 341/323 IPC, at Police Station Lakhewali, District Sri Muktsar Sahib and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 09, 2017
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<i>(i) Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>(ii) Whether reportable</i>	<i>Yes/No</i>