

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

**CRM-M No.8996 of 2017
Date of Decision: 17.05.2017**

Parkash Chand and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Harkanwar Jeet Singh, Advocate
for the petitioners.

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

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

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 482 Cr.P.C. the petitioners seek quashing of FIR No.85 dated 09.05.2015, registered under Sections 420, 467, 468, 471 and 120-B IPC, at Police Station Sadar, District Ludhiana along with all consequential proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On March 16, 2017, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate on 22.03.2017 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) and if is there and any other case pending against them.

As directed, report dated 29.03.2017 from the Judicial Magistrate, Ist Class, Ludhiana 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, none of the accused is declared as proclaimed offender and no other case is pending against them.

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 commercial/civil dispute between the private parties; investigation is at the initial stage 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 FIR No.85 dated 09.05.2015, registered under Sections 420, 467, 468, 471 and 120-B IPC, at Police Station Sadar, District Ludhiana and all consequential proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

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

Whether reportable: Yes/No