

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No.297

CRM-M-9391-2017

Decided on : 30.05.2017

Gurdeep Singh @ Deepi

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Anupam Sharma, Advocate, for the petitioner.

Mr.K.S.Sidhu, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through this petition, quashing of FIR No.107, dated 31.12.2013, registered under Sections 323, 324 and 34 IPC, at Police Station Sadar, District Bathinda, alongwith all subsequent proceedings arising therefrom, is sought for on the basis of compromise.

Through order of this Court dated 20.03.2017, the parties were directed to appear before the trial court 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 clearly opining therein with respect to the veracity of the compromise; whether the petitioner was ever declared as proclaimed offender and if there is any other criminal case pending against him.

As directed, report dated 29.04.2017 from the Judicial Magistrate Ist Class, Bathinda, has been received, as per which the parties have recorded their statements before the trial Court in terms of the compromise arrived at between them and petitioner is not proclaimed person in this case.

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 neighbours; offence not being heinous and that the compromise having been effected between them at the initial stage of investigation, 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.107, dated 31.12.2013, registered under Sections 323, 324 and 34 IPC, at Police Station Sadar, District Bathinda, and all proceedings arising therefrom, qua the petitioner-Gurdeep Singh @ Deepi only.

30.05.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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