

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

**CRM-M No.9821 of 2017
Date of Decision: 25.05.2017**

Mangal Singh and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Jitender Singh Dadwal, Advocate
for the petitioners.

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

Mr. K. D. S. Sodhi, 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.0013 dated 17.02.2017, registered under Sections 452, 324, 506 427 and 34 IPC, at Police Station Mattewal, District Amritsar Rural, Punjab along with all subsequent proceedings arising therefrom, on the basis of compromise (Annexure P-2).

On March 23, 2017, while issuing notice of motion, this Court had directed the parties to appear before the Illaqa Magistrate on 30.03.2017 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 apprise this Court whether the petitioners or any of their co-accused have been declared as proclaimed offender(s) and if is there any other case pending against them.

As directed, report dated 11.04.2017 from the Sub Divisional Judicial Magistrate, Baba Bakala Sahib, District Amritsar has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them out of their free will and without any pressure or coercion, none of the accused is declared as proclaimed offender and no other case except the present case is pending against them.

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; at the initial stage of investigation; does not pertain to a heinous offence; between the parties, who belong to the same village and that the matter having been compromised, continuation of the proceedings in pursuance of 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 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.0013 dated 17.02.2017, registered under Sections 452, 324, 506 427 and 34 IPC, at Police Station Mattewal, District Amritsar Rural, Punjab and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 25, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No