

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

**CRM-M No.9931 of 2017
Date of Decision: 25.05.2017**

Kushal Mahajan and others

..... Petitioners

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Gursimran Singh Bawa, Advocate
for the petitioners.

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

Mr. Harjot Singh Mann, 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.55 dated 10.02.2017, registered under Sections 323, 341, 506, 148, 149 and 379 IPC, at Police Station Civil Lines, Amritsar, District Amritsar, on the basis of compromise (Annexure P-2).

Through orders of this Court dated March 23, 2017 read with April 25, 2017, the parties were directed to appear before the Illaqa Magistrate on 28.04.2017 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 09.05.2017 from the Chief Judicial Magistrate, 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, none of the accused is declared as proclaimed offender and no other criminal case is pending against them except the present 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 between the parties is private in nature; at the initial stage of investigation; not a heinous offence; between the parties, who belong to the same area 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.55 dated 10.02.2017, registered under Sections 323, 341, 506, 148, 149 and 379 IPC, at Police Station Civil Lines, Amritsar, District Amritsar and all proceedings arising therefrom.

(DEEPAK SIBAL)
JUDGE

May 25, 2017

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No