

**IN THE HIGH COUR OF PUNJAB AND HARYANA
AT CHANDIGARH**

Sr. No.255

CRM-M No.3206 of 2017

Date of decision: 26.02.2018

Mohd. Ehsan @ Mohd. Issan and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: None for the petitioners.

Ms. Luv Inder Sofat, Asstt. A.G., Punjab.

DEEPAK SIBAL, J. (Oral)

On the basis of the matter having been compromised, the petitioners have filed the present petition under Section 482 Cr.P.C., seeking quashing of FIR No.65, dated 05.09.2016, registered under Sections 323, 324, 34 IPC, at Police Station City-2, Malerkotla, District Sangrur, on the ground that the matter has been compromised between the petitioners on one hand and the complainant on the other.

On 01.02.2017, while issuing notice of motion, this Court had directed the parties to appear before the trial court for recording their statements with regard to compromise arrived at between them. The trial court was directed to submit a report before the next date of hearing with regard to the genuineness of the compromise alleged to have taken place between the parties.

As directed, a report dated 08.02.2017 by the Addl. Civil Judge (Sr. Divn.)-cum-Sub Divisional Judicial Magistrate, Malerkotla has been received in which it has been opined that after recording of statements of the parties, it is found that the compromise between them is genuine.

Learned State counsel, on instructions from HC Jagmail Singh, also does not dispute that the parties have entered into a compromise; none of the petitioners was declared as proclaimed offender and that he has no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance to the impugned FIR which arose from an occurrence leading to infliction of simple injuries to the complainant side with the parties belong to the same locality and that the matter having been compromised, would be an abuse of the process of law and therefore, 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, this Court is of the opinion that the present petition deserves to be allowed.

Resultantly, the present petition is allowed, FIR No.65, dated 05.09.2016, registered under Sections 323, 324, 34 IPC, at Police Station City-2, Malerkotla, District Sangrur, and all the subsequent proceedings arising therefrom are hereby quashed.

The petition stands allowed in the above terms.

(DEEPAK SIBAL)
JUDGE

February 26, 2018

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(i)	Whether speaking/reasoned	Yes/No
(ii)	Whether reportable	Yes/No