

226.

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

CRM-M-24502-2020

Date of decision: 30.09.2020

AMRIK SINGH

... Petitioner

versus

STATE OF PUNJAB AND ANOTHER

.... Respondents

CORAM: HON'BLE MR. JUSTICE HARI PAL VERMA

Present: Mr. G.P.S. Bal, Advocate,
for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.

Mr. Munish Gupta, Advocate,
for the complainant.

HARI PAL VERMA, J. (Oral)

The matter has been taken up for hearing through video conferencing due to outbreak of COVID-19.

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of F.I.R. No.13 dated 11.01.2020 registered under Section 193, 420 of IPC at Police Station City, Nawanshahr, District SBS Nagar, Nawanshahr (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 31.07.2020 (Annexure P-2).

While issuing notice of motion in the case, this Court vide order dated 26.08.2020, has directed the respondent to file a fresh affidavit in support of the compromise and also directed the petitioner to deposit

Rs.15,000/-, as a pre-condition for quashing of FIR, with the Deputy Commissioner, Nawanshahr.

Pursuant to the aforesaid order, the respondent No.2-complainant Labh Singh has filed an affidavit, which is taken on record. Learned counsel for the petitioner has also produced photocopy of receipt dated 01.09.2020 whereby the petitioner has deposited Rs.15,000/- with the Deputy Commissioner, Nawanshahr. The said receipt is taken on record.

As per the affidavit submitted by respondent No.2-complainant, the matter has been resolved between the parties and a compromise deed dated 31.07.2020 has also been reduced into writing.

Learned counsel for respondent No.2-complainant admits the very compromise (Annexure P-2) and submits that the amount has been received as referred in the compromise deed.

Learned State counsel also does not dispute the factum of compromise arrived at between the parties.

I have heard learned counsel for the parties.

In view of the above, since the matter has been compromised between the parties, this Court finds that continuation of proceedings would be an abuse of process of law.

Thus, following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and F.I.R. No.13 dated 11.01.2020 registered under Section 193, 420 of IPC at Police Station City,

Nawanshahr, District SBS Nagar, Nawanshahr (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 31.07.2020 (Annexure P-2).

(HARI PAL VERMA)
JUDGE

30.09.2020
sanjeev

Whether speaking/reasoned?	Yes/No
Whether reportable?	Yes/No