

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-24994-2019
Date of Decision: 01.12.2020

BHUPESH DEEP SINGH

....Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr.Rajinder Goyal, Advocate for the petitioner
Mr.Kuldeep Tewari, Additional AG Haryana
Mr.Harshit Jain, Advocate for respondent no.2

Deepak Sibal, J. (Oral)

Case taken up through Video Conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.646 dated 11.12.2018 registered under Sections 406, 420, 467, 468, 471 IPC at Police Station Shahbad, District Kurukshetra on the basis of a compromise/affidavit dated 26.05.2019 (Annexure P-2) entered into between the parties.

On 29.05.2019 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 31.07.2019 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the veracity of the compromise between the parties and to apprise this Court whether all the accused are party to the compromise.

As directed, report dated 02.08.2019 from the Sub Divisional Judicial Magistrate, Shahabad has been received, as per which the parties had recorded their statements before the trial Court in terms of the

compromise arrived at between them and no other case is pending against the present petitioner.

Learned State counsel has also raised no objection if the present petition is allowed.

In view of the above, continuation of the proceedings in pursuance of the afore-referred FIR, which pertains a dispute between the private parties, who are in distant relations, where the trial is at the initial stage and the matter having been compromised, 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 Punjab and others, 2007 (3) RCR (Criminal), 1052, I deem it just and proper to allow the petition and resultantly quash the FIR No.646 dated 11.12.2018 registered under Sections 406, 420, 467, 468, 471 IPC at Police Station Shahbad, District Kurukshetra and all proceedings arising therefrom qua the petitioner.

01.12.2020
gk

(Deepak Sibal)
Judge

Whether speaking/ reasoned: Yes/No
Whether Reportable: Yes/No