

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

Sr. No.225

CRM-M-28254-2020

Date of decision: 26.10.2020

Rashpal Sharma and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Sandeep Siwach, Advocate
for the petitioners.

Mr. Randhir Singh Thind, DAG, Punjab.

Mr. Kuldeep Singh, Advocate for
Mr. Lakhvinder Singh Dandiwal, 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.10 dated 14.02.2020, registered under Sections 498-
A, 406, 420 IPC, at Police Station Women Cell, District Bathinda and all
subsequent proceedings arising out of it on the basis of the compromise
(Annexure P-2).

On 17.09.2020 this Court had directed the parties to appear
before the Illaqa Magistrate/Trial Court on 23.09.2020 for recording of their
respective statements with regard to the compromise/settlement, 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

to apprise this Court whether the accused were ever declared as proclaimed offenders and if there is any other case pending against them.

As directed, report dated 06.10.2020 from the Judicial Magistrate Ist Class, Bathinda 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; no other case is pending against the petitioners and also no proclamation proceedings are pending against them.

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 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.10 dated 14.02.2020, registered under Sections 498-A, 406, 420 IPC, at Police Station Women Cell, District Bathinda and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

October 26, 2020
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No