

CRM-M-28593 of 2020

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

CRM-M-28593 of 2020

Date of Decision: 26.10.2020

Tehal Singh and others

...Petitioners

Versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present:- Mr. Amit Arora, Advocate, for the petitioners.
Mr. R.S. Thind, DAG, Punjab.
Mr. Parminder Singh Kanwar, 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.119 dated 14.04.2020, registered under Sections 323, 452, 427, 188, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station City Tarn Taran, District Tarn Taran, on the basis of compromise (Annexure P-2).

On September 18, 2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 24.09.2020 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 petitioners were ever declared as a proclaimed offender and if is there any other case pending

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against them.

As directed, report dated 24.09.2020 from the Chief Judicial Magistrate, Tarn Taran 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 present 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 who belong to same village where the investigation is at the initial stage; injuries attributed to the petitioners are simple in nature 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.119 dated 14.04.2020, registered under Sections 323, 452, 427, 188, 148, 149 IPC and Sections 25 and 27 of the Arms Act at Police Station City Tarn Taran, District Tarn Taran, and all proceedings arising therefrom, qua the petitioners.

October 26, 2020
R.S.

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No