

212 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.28635-2020

Date of Decision:30.10.2020

MADHUR CHAWLA

...Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Aashok Kumar Khungar, Advocate
for the petitioner.

Mr. Balbir Singh Sewak, Addl. AG, Punjab.

None 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.77 dated 22.06.2019 registered under Sections 325 and 323 IPC at Police Station Cantt. Bathinda, Distirct Bathinda and all subsequent proceedings arising out of it on the basis of the compromise dated 11.10.2019 (Annexure P-2).

On 18.09.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 25.09.2020 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 is there any other case pending against them.

As directed, report dated 25.09.2020 from the Principal Magistrate, Juvenile Justice Board, 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 petitioner and also no proclamation proceedings are pending against him.

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 wherein the alleged crime is not heinous or serious; where the investigation is yet to complete 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.77 dated 22.06.2019 registered under Sections 325 and 323 IPC, at Police Cantt. Bathinda, District Bathinda and all proceedings arising therefrom, qua the petitioner.

(DEEPAK SIBAL)
JUDGE

October 30, 2020

Jyoti-JW Whether speaking/reasoned Yes/No Whether Reportable Yes/No