

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 235

CRM-M-29376-2020

Date of decision : 21.12.2020

Palwinder Singh @ Pindi

..... Petitioner

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Ramesh Sharma, Advocate, for the petitioner.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr.B.S.Jaswal, 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.23 dated 05.02.2020 registered under Sections 436, 506 and 427 IPC at Police Station Shahkot, district Jalandhar on the basis of a compromise dated 13.09.2020 (Annexure P-2) entered into between the parties.

On 24.09.2020 this Court had directed the parties to appear before the Trial Court/Illaq Magistrate/Duty Magistrate on 07.10.2020 for recording of their respective statements, who in turn was directed to submit a report along with the recorded statements with regard to the genuineness of the compromise and as to whether the compromise has been effected between the parties without any undue influence or coercion.

As directed, report dated 25.11.2020 from the Judicial Magistrate Ist Class, Nakodar (Duty), 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 the compromise appears to be genuine on having been arrived at by the parties with the intervention of respectables.

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 in which the offences are not heinous; investigation 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, this Court deems it just and proper to allow the petition and resultantly quash FIR No.23 dated 05.02.2020 registered under Sections 436, 506 and 427 IPC at Police Station Shahkot, district Jalandhar and all proceedings arising therefrom qua the petitioner.

21.12.2020
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No