

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

Sr. No.217

CRM-M-29390-2020

Date of decision: 17.12.2020

Akash and others

....Petitioners

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kuldeep Singh, Advocate
for the petitioners.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Navraj Singh, Advocate
for respondent No.2.

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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.0188 dated 24.09.2018 under Sections 323, 341, 326, 34 IPC; cross case G.D. No.037 dated 24.09.2018 under Sections 323, 341, 34 IPC and GDR No.29 dated 03.10.2018 registered at Police Station Garshankar, District Hoshiarpur and all subsequent proceedings arising therefrom on the basis of the compromise dated 19.02.2020 (Annexure P-4).

On 24.09.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 07.10.2020 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 directed, report dated 25.11.2020 from the Sub-Divisional Judicial Magistrate, Garshankar 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.

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; the dispute is between the parties who are co-villagers; 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, this Court deems it just and proper to allow the petition and resultantly quash the FIR No.0188 dated 24.09.2018 under Sections 323, 341, 326, 34 IPC; cross case G.D. No.037 dated 24.09.2018 under Sections 323, 341, 34 IPC and GDR No.29 dated 03.10.2018 registered at Police Station Garshankar, District Hoshiarpur and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

December 17, 2020
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No