

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 223

CRM-M-33819-2020

Date of decision : 17.12.2020

Pavitar Singh and others

..... Petitioners

VERSUS

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.F.S.Virk, Advocate, for the petitioner.

Mr.Sidakmeet Singh Sandhu, AAG, Punjab.

Mr.A.S.Gill, 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.127 dated 23.05.2020 registered under Sections 324, 323, 341 and 34 IPC at Police Station Adampur, district Jalandhar on the basis of a compromise (Annexure P-2) entered into between the parties.

On 27.10.2020 this Court had directed the parties to appear before the Illaqa Magistrate on 25.11.2020 for recording of their respective statements with regard to the compromise, who in turn was directed to submit a report along with the recorded statements with regard to the genuineness of the compromise between the parties.

As directed, report dated 25.11.2020 from the Judicial Magistrate Ist Class, Jalandhar has been received, as per which the parties had recorded their statements before the Illaqa Magistrate in terms of the compromise arrived at between them and the compromise effected between the parties is genuine being voluntary, without any threat or coercion.

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; dispute is between the parties who are co-villagers; 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, this Court deems it just and proper to allow the petition and resultantly quash FIR No.127 dated 23.05.2020 registered under Sections 324, 323, 341 and 34 IPC at Police Station Adampur, district Jalandhar and all proceedings arising therefrom qua the petitioners.

17.12.2020

shamsher

[DEEPAK SIBAL]
JUDGE

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