

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

Sr. No.239

CRM-M-37736-2020

Date of decision: 15.12.2020

Balwinder Singh and another

....Petitioners

versus

State of Haryana and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. Kaanan Jain, Advocate
for the petitioners.

Mr. Ashok Kumar Sehrawat, DAG, Haryana.

Mr. Arjun Kundra, 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.278 dated 03.07.2020 under Sections 120-B, 406, 420, 467, 468, 471 IPC registered at Police Station Faridabad Central, District Faridabad and all subsequent proceedings arising therefrom on the basis of the compromise dated 27.10.2020 (Annexure P-2).

On 16.11.2020 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 23.11.2020 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 24.11.2020 from the Additional Chief Judicial Magistrate, Faridabad 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 in which the offences are not heinous 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.278 dated 03.07.2020 under Sections 120-B, 406, 420, 467, 468, 471 IPC registered at Police Station Faridabad Central, District Faridabad and all proceedings arising therefrom, qua the petitioner.

(DEEPAK SIBAL)
JUDGE

December 15, 2020
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No