

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

Sr. No.240

CRM-M-522-2021

Date of decision: 09.03.2021

Babbi and others

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. T.P.S. Makkar, Advocate
for the petitioners.

Mr. Sukhbeer Singh, Asstt. A.G, Punjab.

Mr. R.S. Khinda, Advocate
for respondents No.2 to 6.

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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.0203 dated 15.12.2020 under Sections 365/323/341/506/149/427 IPC registered at Police Station Civil Lines Bathinda, District Bathinda and all subsequent proceedings arising therefrom on the basis of the compromise dated 23.12.2020 (Annexures P-2 and P-3).

On 07.01.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 19.01.2021 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 08.03.2021 from the Additional Chief Judicial Magistrate, 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 petitioners and also no proclamation proceedings are pending against them.

Learned State counsel has also raised no objection if the present petition is allowed.

Since the petitioners' daughters is now happily living with the complainant and the complainant has compromised the matter with the petitioners to maintain matrimonial harmony between the complainant and the petitioners' daughter and the matter having been compromised continuation of the proceedings in pursuance of the afore-referred FIR 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.0203 dated 15.12.2020 under Sections 365/323/341/506/149/427 IPC registered at Police Station Civil Lines Bathinda, District Bathinda and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

March 09, 2021
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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No