

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

(Sr. No. 243)

CRM-M No.524 of 2021

Date of decision : 25.03.2021

Raju and another

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Lakhwinder Singh Mann, Advocate, for the petitioners.

Mr. H.S.Multani, AAG, Punjab.

Ms. Chavi Sharma, Advocate

for respondents No.2 and 3.

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DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No. 90 dated 10.08.2019 under Sections 323, 324, 341, 506 IPC registered at Police Station Lohian, district Jalandhar Rural on the basis of a compromise dated 28.12.2020 (Annexure P-2) entered into between the parties.

On 07.01.2021, this Court had directed the parties to appear before the Illaqa Magistrate/trial Court 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 veracity of the compromise between the parties as also to apprise this Court whether any of the accused have ever been declared proclaimed offender(s).

As directed, report dated 21.01.2021 from the Judicial Magistrate, Ist Class, Nakodar 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 that no proclamation proceedings/criminal cases are pending against the petitioners.

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 offences are not heinous; where the trial is at an early stage; the parties belong to the same area and also 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. 90 dated 10.08.2019 under Sections 323, 324, 341, 506 IPC registered at Police Station Lohian, district Jalandhar Rural and all proceedings arising therefrom qua the petitioners.

25.03.2021

Shivani Kaushik

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No