

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 216 (2)

CRM-M-3146-2021

Date of decision : 22.04.2021

Jagjeet Singh @ Samar

..... Petitioner

VERSUS

State of Haryana and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.Jaideep Verma, Advocate, for the petitioner.

Mr.Ashok Kumar Sehrawat, DAG, Haryana.

Mr.Himanshu Chhabra, Advocate, for respondent No.2.

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 482 Cr.P.C. for quashing of FIR No.302 dated 06.06.2020 registered under Sections 420/406 IPC at Police Station Pehowa, District Kurukshetra on the basis of a compromise dated 16.01.2021 (Annexure P-2) entered into between the parties.

On 22.01.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 01.02.2021 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 all the accused are party to the compromise; whether any of them have ever been declared proclaimed offender(s) and if is there any other criminal case pending against them.

As directed, report dated 01.02.2021 from the Judicial Magistrate Ist Class, Pehowa 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; the compromise is genuine, voluntarily, without any pressure or coercion; and that the petitioner has not been declared proclaimed offender.

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 compoundable, where the investigation is at the initial stage 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.302 dated 06.06.2020 registered under Sections 420/406 IPC at Police Station Pehowa, District Kurukshetra and all proceedings arising therefrom qua the petitioner.

22.04.2021

shamsher

[DEEPAK SIBAL]

JUDGE

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