

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

Sr. No. 122

CRM-M No. 6333 of 2021

Date of decision : 25.10.2021

Vishal @ Gautam

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Gaurav Gupta, Advocate for the petitioner.

Mr. Sumit Jain, Addl. A.G., Haryana.

Mr. Gaurav Singla, Advocate for respondent No.2.

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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. 0157 dated 20.12.2015 registered under Section 379 IPC (Section 411 IPC added later on) at Police Station Tigaon, district Faridabad on the basis of a compromise dated 07.03.2020 (Annexure P-2) entered into between the parties.

On 26.03.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 05.04.2021 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 P.O. proceedings are pending against any of the party.

As directed, report dated 20.04.2021 from the Judicial Magistrate First Class, 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 and that no proclamation proceedings are pending against the petitioner.

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 trial is at the early 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. 0157 dated 20.12.2015 registered under Section 379 IPC (Section 411 IPC added later on) at Police Station Tigaon, district Faridabad and all proceedings arising therefrom qua the petitioner.

25.10.2021*sunil yadav***(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No