

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

(Sr. No.238)

CRM-M No. 8229 of 2021

Date of decision : 23.04.2021

Gurmanter Singh and others

.....Petitioners

Versus

State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioners.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. T. S. Hundal, 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.23 dated 10.03.2016 under Sections 323, 325, 506, 34 IPC registered at Police Station Payal, district Ludhiana on the basis of a compromise dated 08.02.2021 (Annexure P-2) entered into between the parties.

On 22.02.2021 this Court had directed the parties to appear before the Illaqa Magistrate/trial Court on 23.03.2021 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 05.04.2021 from the Sub Divisional Judicial Magistrate, Payal 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 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 the offences are not heinous; the trial is at the initial 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.23 dated 10.03.2016 under Sections 323, 325, 506, 34 IPC registered at Police Station Payal, district Ludhiana and all proceedings arising therefrom qua the petitioners.

23.04.2021

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No