

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

Sr. No.115

CRM-M-10609-2020

Date of decision: 21.01.2021

Bhupinder Singh and another

....Petitioners

versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Rakesh Kumar, Advocate
for the petitioners.

Mr. B.S. Sewak, Addl. A.G., Punjab.

None for respondents No.2 and 3.

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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.175 dated 29.12.2019 under Sections 406 and 420 IPC and under Section 13 of Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Basti Bawa Kel, District Jalandhar and all subsequent proceedings arising therefrom on the basis of the compromise dated 26.02.2020 (Annexure P-2).

On 16.03.2020 this Court had directed that subject to the petitioners' depositing Rs.20,000/- as costs, the parties would appear before the Illaqa Magistrate/Trial Court 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.

As directed, report dated 08.01.2021 from the Judicial Magistrate Ist Class, Jalandhar 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 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 investigation 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 the FIR No.175 dated 29.12.2019 under Sections 406 and 420 IPC and under Section 13 of Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Basti Bawa Kel, District Jalandhar and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

January 21, 2021

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No