

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 236

CRM-M-18891-2021

Date of decision : 23.08.2021

Dilpreet Singh and others

..... Petitioners

VERSUS

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Vishal Munjal, Advocate, for the petitioners.

Mr. J. S. Ghuman, DAG, Punjab.

Mr. Vipin Mahajan, Advocate, for respondents No.2 and 3.

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.275 dated 23.09.2020 registered under Sections 326/324/323/506/379-b/148/149 IPC and Sections 25/27 of the Arms Act, 1959 at Police Station City Dinanagar, District Gurdaspur, Punjab on the basis of a compromise entered into between the parties.

On 07.05.2021 this Court had directed the parties to appear before the Illaqa Magistrate/Trial Court on 17.05.2021 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 there is any other criminal case pending against them.

As directed, report dated 27.05.2021 from the Judicial Magistrate Ist Class, Gurdaspur, 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 without any pressure, coercion, undue influence; the same is genuine and voluntarily done with free consent of the parties and that no proclamation proceedings/criminal case(s) 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 where the investigation is at the initial stage as 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.275 dated 23.09.2020 registered under Sections 326/324/323/506/379-b/148/149 IPC and Sections 25/27 of the Arms Act, 1959 at Police Station City Dinanagar, District Gurdaspur, Punjab and all proceedings arising therefrom qua the petitioners.

23.08.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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