

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

Sr. No.224

CRM-M-30791-2020

Date of decision: 18.02.2021

Mukhtiar Singh

....Petitioner

versus

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Ms. R.K. Grewal, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Mr. Naresh Paul Chandel, Advocate
for respondent No.2.

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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.11 dated 28.01.2020 under Sections 354, 354-B IPC registered at Police Station Sadar Rajpura, District Patiala and all subsequent proceedings arising therefrom on the basis of the compromise dated 02.03.2020 (Annexure P-2).

On 01.10.2020 this Court had directed the parties to 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.

As directed, report dated 14.12.2020 from the Judicial Magistrate, Ist Class, Rajpura 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; no other case is pending against the petitioners and also no proclamation proceedings are pending against him.

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 parties belong to the same village 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.11 dated 28.01.2020 under Sections 354, 354-B IPC registered at Police Station Sadar Rajpura, District Patiala and all proceedings arising therefrom, qua the petitioners.

(DEEPAK SIBAL)
JUDGE

February 18, 2021
Jyoti 1

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No